



## CITY OF ALAMEDA • CALIFORNIA

SPECIAL MEETING OF THE CITY COUNCIL  
TUESDAY - - - FEBRUARY 1, 2005 - - - 6:45 P.M.

Time: Tuesday, February 1, 2005, 6:45 p.m.

Place: **City Council Chambers Conference Room**, City Hall, corner of Santa Clara Avenue and Oak Street.

Agenda:

1. Roll Call.
2. Public Comment on Agenda Items Only.

Anyone wishing to address the Council on agenda items only, may speak for a maximum of 3 minutes per item.

3. Adjournment to Closed Session to consider:

3-A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Name of case: Younger-Wunar, Inc. v. City of Alameda.

3-B. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Name of case: Gallagher & Burke, Inc. v City of Alameda.

4. Announcement of Action Taken in Closed Session, if any.

Adjournment

  
Beverly Johnson, Mayor



# Housing Authority of the City of Alameda

701 Atlantic Avenue - Alameda, California 94501-2161 - TEL: (510) 747-4300 - FAX: (510) 522-7848 - TDD: (510) 522-8467

## IF YOU WISH TO ADDRESS THE BOARD:

1. Please file a speaker's slip with the Executive Director, and upon recognition by the Chair, approach the rostrum and state your name; speakers are limited to 3 minutes per item.
2. Lengthy testimony should be submitted in writing and only a summary of pertinent points presented verbally.
3. Applause and demonstrations are prohibited during Board of Commissioners meetings.

## **AGENDA**

## **SPECIAL MEETING OF THE BOARD OF COMMISSIONERS**

### **DATE & TIME** **LOCATION**

**Tuesday, February 1, 2005, 7:20 PM**

City Hall, Council Chambers, Room 390, 2263 Santa Clara Ave., Alameda, CA

Welcome to the Board of Commissioners of the Housing Authority of the City of Alameda meeting. Regular Board of Commissioners meetings are held on the first Tuesday of each quarter in the Council Chambers at City Hall.

### **Public Participation**

Anyone wishing to address the Board on agenda items or business introduced by Commissioners may speak for a maximum of three minutes per agenda item when the subject is before the Board. Please file a speaker's slip with the Housing Authority Executive Director if you wish to address the Board of Commissioners.

## **PLEDGE OF ALLEGIANCE**

1. **ROLL CALL** - Board of Commissioners
2. **CONSENT CALENDAR**
  - Consent Calendar items are considered routine and will be approved or accepted by one motion unless a request for removal for discussion or explanation is received from the Board of Commissioners or a member of the public.
- 2-A. Minutes of the Board of Commissioners Regular meeting held January 4, 2005. Acceptance is recommended.

- 2-B. Resolution to Amend the California Housing Workers' Compensation Authority Joint Powers Agreement. The Interim Chief Executive Officer recommends adoption of the attached Resolution to approve changes to clarify Articles 9 and 13 of the Joint Powers Authority Agreement for workers' compensation coverage.

3. AGENDA

- 3-A. Presentation of Audit Report for Fiscal Year Ending June 30, 2004. This report is for information purposes only.

4. ORAL COMMUNICATIONS, Non-Agenda (Public Comment)

5. COMMISSIONER COMMUNICATIONS, (Communications from the Commissioners)

6. ADJOURNMENT

\* \* \*

Note:

- \* Sign language interpreters will be available on request. Please contact Carol Weaver, Secretary, at 747-4325 voice or 522-8467 TDD at least 72 hours before the meeting to request an interpreter.
- \* Accessible seating for persons with disabilities (including those using wheelchairs) is available.
- \* Minutes of the meeting are available in large print.
- \* Audiotapes of the meeting are available on request.
- \* Please contact Carol Weaver at 747-4325 voice or 522-8467 TDD at least 72 hours prior to the meeting to request agenda materials in an alternative format, or any other reasonable accommodation that may be necessary to participate in and enjoy the benefits of the meeting.



## CITY OF ALAMEDA • CALIFORNIA

### IF YOU WISH TO ADDRESS THE BOARD:

1. Please file a speaker's slip with the Deputy City Clerk and upon recognition by the Chair, approach the podium and state your name; speakers are limited to three (3) minutes per item.
2. Lengthy testimony should be submitted in writing and only a summary of pertinent points presented verbally.
3. Applause and demonstration are prohibited during meetings.

### ANNUAL MEETING OF THE ALAMEDA PUBLIC IMPROVEMENT CORPORATION TUESDAY - - - FEBRUARY 1, 2005 - - - 7:25 P.M.

Location: **Council Chambers**, City Hall, corner of Santa Clara Avenue and Oak Street.

### Public Participation

Anyone wishing to address the Board on agenda items or business introduced by Board Members may speak for a maximum of 3 minutes per agenda item when the subject is before the Board. Please file a speaker's slip with the Deputy City Clerk if you wish to speak on an agenda item.

### ROLL CALL

### MINUTES

Minutes of the Annual Alameda Public Improvement Corporation Meeting of February 3, 2004.

### ORAL COMMUNICATIONS (Public Comment)

(Any person may address the Board in regard to any matter over which the Board has jurisdiction or of which it may take cognizance, that is not on the agenda.)

### BOARD COMMUNICATIONS (Communications from the Board)

### ADJOURNMENT





## CITY OF ALAMEDA • CALIFORNIA

SPECIAL JOINT MEETING OF THE CITY COUNCIL,  
COMMUNITY IMPROVEMENT COMMISSION  
AND ALAMEDA REUSE AND REDEVELOPMENT AUTHORITY  
TUESDAY - - - FEBRUARY 1, 2005 - - - 7:27 P.M.

Location: **City Council Chambers**, City Hall, corner of Santa Clara Avenue and Oak Street.

Public Participation

Anyone wishing to address the Council/Commission/Authority on agenda items or business introduced by Council may speak for a maximum of 3 minutes per agenda item when the subject is before the Council/Commission/Board. Please file a speaker's slip with the Deputy City Clerk if you wish to speak on an agenda item.

ROLL CALL

AGENDA ITEMS

1. Recommendation to accept the Quarterly Financial Report and approve mid-year budget adjustments. **[City Council, Community Improvement Commission and Alameda Reuse and Redevelopment Authority]**
2. Adoption of Resolution Approving and Authorizing Execution of an Assignment and Assumption Agreement and First Amendment to Exclusive Negotiation Agreement between MovieTECS, Inc. and the Community Improvement Commission of the City of Alameda. (2305 Central Avenue, Video Maniacs) **[Community Improvement Commission]**

ADJOURNMENT

Beverly Johnson, Mayor  
Chair, Community Improvement  
Commission and Alameda Reuse and  
Redevelopment Authority



## CITY OF ALAMEDA • CALIFORNIA

### IF YOU WISH TO ADDRESS THE COUNCIL:

1. Please file a speaker's slip with the Deputy City Clerk and upon recognition by the Mayor, approach the podium and state your name; speakers are limited to three (3) minutes per item.
2. Lengthy testimony should be submitted in writing and only a summary of pertinent points presented verbally.
3. Applause and demonstration are prohibited during Council meetings.

AGENDA - - - - - REGULAR MEETING OF THE CITY COUNCIL  
TUESDAY - - - - FEBRUARY 1, 2005 - - - - 7:30 P.M.

[Note: Regular Council Meeting convenes at 7:30 p.m., **City Hall, Council Chambers, corner of Santa Clara Ave and Oak St.**]

The Order of Business for City Council Meeting is as follows:

1. Roll Call
2. Agenda Changes
3. Proclamations, Special Orders of the Day and Announcements
4. Consent Calendar
5. Agenda Items
6. Oral Communications, Non-Agenda (Public Comment)
7. Council Communications (Communications from Council)
8. Adjournment

### Public Participation

Anyone wishing to address the Council on agenda items or business introduced by Councilmembers may speak for a maximum of 3 minutes per agenda item when the subject is before Council. Please file a speaker's slip with the Deputy City Clerk if you wish to address the City Council.

SPECIAL MEETING OF THE CITY COUNCIL 6:45 P.M.

CITY COUNCIL CHAMBERS CONFERENCE ROOM

Separate Agenda (Closed Session)

SPECIAL MEETING OF THE HOUSING AUTHORITY BOARD 7:20 P.M.

OF COMMISSIONERS, CITY COUNCIL CHAMBERS

Separate Agenda

ANNUAL MEETING OF THE ALAMEDA PUBLIC IMPROVEMENT 7:25 P.M.

CORPORATION, CITY COUNCIL CHAMBERS

Separate Agenda

SPECIAL JOINT MEETING OF THE CITY COUNCIL, 7:27 P.M.  
COMMUNITY IMPROVEMENT COMMISSION, AND ALAMEDA REUSE  
AND REDEVELOPMENT AUTHORITY, CITY COUNCIL CHAMBERS  
Separate Agenda

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1. ROLL CALL - City Council
2. AGENDA CHANGES
3. PROCLAMATIONS, SPECIAL ORDERS OF THE DAY AND ANNOUNCEMENTS
  - 3-A. Proclamation declaring January 30, 2005 through April 4, 2005 as A Season for Nonviolence in the City of Alameda.
  - 3-B. Update on the new main library project.
4. CONSENT CALENDAR

Consent Calendar items are considered routine and will be enacted, approved or adopted by one motion unless a request for removal for discussion or explanation is received from the Council or a member of the public.

  - 4-A. Minutes of the Special and Regular City Council meetings held on January 18, 2005.
  - 4-B. Bills for ratification.
  - 4-C. Recommendation to accept the Quarterly Investment Report for period ending December 31, 2004.
  - 4-D. Recommendation to approve Agreement with Ameresco Half Moon Bay, LLC for the purchase of power from Landfill Gas Generation.
  - 4-E. Adoption of Resolution Authorizing the Application to CalTrans for a Bicycle Transportation Account Grant for Improvements to the Bay Farm Island Bicycle Bridge Approach.
  - 4-F. Adoption of Resolution Authorizing the Application to the Metropolitan Transportation Commission for a Regional Bicycle and Pedestrian Program Grant for the Cross Alameda Trail Phase I.
  - 4-G. Adoption of Resolution Approving Submittal of a Revised Application, Incorporating a Flat Parking Lot and Budget Adjustments, to the Office of Library Construction Under the California Reading and Literacy Improvement and Public Library Construction and Renovation Bond Act of 2000.

5. REGULAR AGENDA ITEMS

- 5-A. Public Hearing to consider an Appeal of the Planning Board's approval of Design Review, DR04-0101, to allow a 5,300 square foot new commercial building (veterinary hospital) to replace approximately 2,000 square feet of commercial buildings, with a parking lot expansion to 23 spaces; **and adoption of related resolution.** The property is located at 1410 Everett Street in the C-C Community Commercial and R-5 Hotel Residential Zoning Districts. Appellant: John Barni, Jr. **[Continued from January 18, 2005]**
- 5-B. Public Hearing to consider Amendment to Zoning Map to rezone approximately 7,800 square feet (1/5 acre) at 1410 Everett Street, APN 070-170-15, from R-5 Hotel Residential to C-C Community Commercial; and
- Introduction of Ordinance Reclassifying and Rezoning Certain Property within the City of Alameda by Amending Zoning Ordinance No. 1277, N.S., from R-5 (General Residential) Zoning District to C-C (Community Commercial) Zoning District, for that Property Located at 2507 Central Avenue at Everett Street. **[Continued from January 18, 2005]**
- 5-C. Discussion regarding options for relocation assistance legislation and a temporary moratorium on all new construction, demolition and condominium conversion in the "West End Atlantic Corridor Area" (bounded by Webster Street, Main Street, Pacific Avenue and Ralph J. Appezzato Memorial Parkway). **[Continued from January 18, 2005]**
- 5-D. Recommendation to direct the City Manager to prepare an ordinance establishing a Theatre Combining District in Chapter XXX, Development Regulations.

6. ORAL COMMUNICATIONS, NON-AGENDA (Public Comment)

Any person may address the Council in regard to any matter over which the Council has jurisdiction or of which it may take cognizance, that is not on the agenda.

7. COUNCIL COMMUNICATIONS (Communications from Council)

- 7-A. Consideration of Mayor's nomination for appointment to the Social Service Human Relations Board. [Partial term expiring June 30, 2007]

8. ADJOURNMENT

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- For use in preparing the Official Record, speakers reading a written statement are invited to submit a copy to the City Clerk at the meeting or e-mail to: [lweisige@ci.alameda.ca.us](mailto:lweisige@ci.alameda.ca.us)
- Sign language interpreters will be available on request. Please contact the City Clerk at 747-4800 or TDD number 522-7538 at least 72 hours prior to the Meeting to request an interpreter.
- Equipment for the hearing impaired is available for public use. For assistance, please contact the City Clerk at 747-4800 or TDD number 522-7538 either prior to, or at, the Council Meeting.
- Accessible seating for persons with disabilities, including those using wheelchairs, is available.
- Minutes of the meeting available in enlarged print.
- Audio Tapes of the meeting are available upon request.
- Please contact the City Clerk at 747-4800 or TDD number 522-7538 at least 48 hours prior to the meeting to request agenda materials in an alternative format, or any other reasonable accommodation that may be necessary to participate in and enjoy the benefits of the meeting.

# CITY OF ALAMEDA

## Memorandum

Date: January 25, 2005

To: Honorable Mayor  
and Councilmembers

From: William C. Norton  
Interim City Manager

Re: Regular and Special City Council Meetings, Special Meeting of the Housing Authority Board of Commissioners, Annual Meeting of the Alameda Public Improvement Corporation, and Special Joint Meeting of the City Council, Community Improvement Commission and Alameda Reuse and Redevelopment Authority of February 1, 2005

Transmitted are the agendas and related materials for the Regular and Special City Council Meetings, the Special Meeting of the Housing Authority Board of Commissioners, the Annual Meeting of the Alameda Public Improvement Corporation, and the Special Joint Meeting of the City Council, Community Improvement Commission and Alameda Reuse and Redevelopment Authority of February 1, 2005.

### **SPECIAL MEETING OF THE HOUSING AUTHORITY BOARD OF COMMISSIONERS**

#### 2. CONSENT CALENDAR

2-A. Minutes of the Board of Commissioners Regular meeting held January 4, 2005.

Acceptance is recommended.

2-B. Resolution to Amend the California Housing Workers' Compensation Authority Joint Powers Agreement

It is recommended that Council adopt the attached resolution to approve changes to clarify Articles 9 and 13 of the Joint Powers Authority Agreement for workers' compensation coverage.

#### 3. AGENDA

3-A. Presentation of Audit Report for Fiscal Year Ending June 30, 2004.

This report is for information purposes only.

**ANNUAL MEETING OF  
THE ALAMEDA PUBLIC IMPROVEMENT CORPORATION**

MINUTES

Minutes of the Annual Alameda Public Financing Authority (APFA) Meeting of February 3, 2004.

Acceptance is recommended.

**SPECIAL JOINT MEETING OF THE CITY COUNCIL,  
COMMUNITY IMPROVEMENT COMMISSION, AND  
ALAMEDA REUSE AND REDEVELOPMENT AUTHORITY**

AGENDA ITEMS

1. Recommendation to accept the Quarterly Financial Report and approve mid-year budget adjustments. **[City Council, Community Improvement Commission and Alameda Reuse and Redevelopment Authority]**

It is recommended that the City Council, CIC and ARRA jointly accept the report on the results of operations for the quarter ending December 31, 2004 for all funds and approve the supplemental appropriations as outlined in the report. It is anticipated that reductions will be made by Council before March 1, 2005 to bring revenues and expenditures into alignment.

2. Adoption of Resolution Approving and Authorizing Execution of an Assignment and Assumption Agreement and First Amendment to Exclusive Negotiation Agreement between Movie TECS, Inc. and the Community Improvement Commission of the City of Alameda. (2305 Central Avenue, Video Maniacs) **[Community Improvement Commission]**

It is recommended that the CIC: 1) adopt the Resolution Approving and Authorizing Execution of an Assignment and Assumption Agreement and First Amendment to Exclusive Negotiating Agreement with MovieTECS, Inc. and the CIC and 2) direct the Executive Director to exercise the option to purchase the property. MovieTECS has agreed to assign their option for the Video Maniacs (Delanoy) property to the CIC so that the project can continue to move forward on the shortest development timeline possible. The acceptance of the purchase option would allow the CIC the ability to divide the parcel and continue to move forward with a design/build process for the parking structure.

## **CITY COUNCIL AGENDA**

1. ROLL CALL - City Council
2. AGENDA CHANGES
3. PROCLAMATIONS, SPECIAL ORDERS OF THE DAY AND ANNOUNCEMENTS
- 3-A. Proclamation declaring January 30, 2005 through April 4, 2005 as A Season for Nonviolence in the City of Alameda.

At this time the Mayor will present a proclamation declaring January 30 through April 4, 2005 as A Season for Nonviolence in the City of Alameda to a member of the Alameda Collaborative for Children, Youth & Their Families.

- 3-B. Update on the new main library project.

At this time the Library Project Manager will update the Council on the status of the new Main Library.

### CONSENT CALENDAR

- 4-A. Minutes of the Special and Regular City Council meetings held on January 18, 2005.

The City Clerk has presented for approval the Minutes of the Special and Regular City Council meetings held on January 18, 2005.

- 4-B. Bills for ratification.

- 4-C. Recommendation to accept the Quarterly Investment Report for period ending December 31, 2004.

It is recommended that Council accept the Quarterly Investment Report for period ending December 31, 2004. The average yield for the investment portfolio is 2.34%.

- 4-D. Recommendation to approve Agreement with Ameresco Half Moon Bay, LLC for the purchase of power from Landfill Gas Generation.

It is recommended that Council approve the agreement with Ameresco for the purchase of power from a proposed landfill gas project to be built at an existing landfill near Half Moon Bay. This agreement provides AP&T the ability to obtain power that is at or below current and projected future market prices.



- 4-E. Adoption of Resolution Authorizing the Application to CalTrans for a Bicycle Transportation Account Grant for Improvements to the Bay Farm Island Bicycle Bridge Approach.

It is recommended that Council adopt a resolution authorizing the filing of an application with Caltrans for Bicycle Transportation Account funds for 2005/06, authorize the allocation of Measure B funds as a local match (10%), and authorize the Public Works Director to execute all necessary documents to implement this project. These funds are to be used for improvements to the Bay Farm Island Bicycle Bridge approach.

- 4-F. Adoption of Resolution Authorizing the Application to the Metropolitan Transportation Commission for a Regional Bicycle and Pedestrian Program Grant for the Cross Alameda Trail Phase I.

It is recommended that Council adopt a resolution authorizing the filing of an application with MTC for Regional Bicycle and Pedestrian Program funds for 2005/06 and 2006/07, authorize the allocation of Measure B and TDA funds as a local match, and authorize the Public Works director to execute all necessary documents to implement this project. These funds are to be used for the Cross Alameda Trail Phase I project. This phase consists of a linear park and trail to be located on the south side of Ralph Appezato Memorial Parkway, from Main Street to Webster Street.

- 4-G. Adoption of Resolution Approving Submittal of a Revised Application, Incorporating a Flat Parking Lot and Budget Adjustments, to the Office of Library Construction Under the California Reading and Literacy Improvement and Public Library Construction and Renovation Bond Act of 2000.

It is recommended that Council approve this resolution approving the submittal of the revised application form to the Office of Library Construction. This revised application must be submitted for approval of project changes and budget adjustments for the purpose of deleting the small parking structure and replacing it with a 44-space flat parking lot for the new Main Library.

REGULAR AGENDA ITEMS

- 5-A. Public Hearing to consider an Appeal of the Planning Board's approval of Design Review, DR04-0101, to allow a 5,300 square foot new commercial building (veterinary hospital) to replace approximately 2,000 square feet of commercial buildings, with a parking lot expansion to 23 spaces; **and adoption of related resolution.** The property is located at 1410 Everett Street in the C-C Community Commercial and R-5 Hotel Residential Zoning

Districts. Appellant: John Barni, Jr. **[Continued from  
January 18, 2005]**

**Please note that one report addresses both Items 5-A and 5-B.** The Planning Board recommends that Council conduct a public hearing and then act to 1) rezone approximately 7,800 square feet from R-5 to C-C; and 2) uphold the Planning Board approval of the Design Review by adopting the draft resolutions contained in the agenda packet.

5-B. Public Hearing to consider Amendment to Zoning Map to rezone approximately 7,800 square feet (1/5 acre) at 1410 Everett Street, APN 070-170-15, from R-5 Hotel Residential to C-C Community Commercial; and

- Introduction of Ordinance Reclassifying and Rezoning Certain Property within the City of Alameda by Amending Zoning Ordinance No. 1277, N.S., from R-5 (General Residential) Zoning District to C-C (Community Commercial) Zoning District, for that Property Located at 2507 Central Avenue at Everett Street. **[Continued from January 18, 2005]**

5-C. Discussion regarding options for relocation assistance legislation and a temporary moratorium on all new construction, demolition and condominium conversion in the "West End Atlantic Corridor Area" (bounded by Webster Street, Main Street, Pacific Avenue and Ralph J. Appezzato Memorial Parkway). **[Continued from January 18, 2005]**

At this time there will be discussion regarding options for relocation assistance legislation and a temporary moratorium on all new construction, demolition and condominium conversion in the "West End Atlantic Corridor Area." This area is bounded by Webster Street, Main Street, Pacific Avenue and Ralph J. Appezzato Memorial Parkway.

5-D. Recommendation to direct the City Manager to prepare an ordinance establishing a Theatre Combining District in Chapter XXX, Development Regulations.

It is recommended that Council initiate an ordinance establishing a Theater Combining District in Chapter XXX, Development Regulations. A combining district would maintain the existing properties' underlying zoning designation, but provide flexibility in terms of development standards and uses.



# Housing Authority of the City of Alameda

701 Atlantic Avenue - Alameda, California 94501-2161 - TEL: (510) 747-4300 - FAX: (510) 522-7848 - TDD: (510) 522-8467

## MINUTES

### REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF THE HOUSING AUTHORITY OF THE CITY OF ALAMEDA HELD TUESDAY, JANUARY 4, 2005

The Board of Commissioners was called to order at 7:46 p.m.

#### PLEDGE OF ALLEGIANCE

#### 1. ROLL CALL

Present: Commissioners Daysog, deHaan, Gilmore, Matarrese, Torrey and Chair Johnson.

Absent: None.

#### 2. CONSENT CALENDAR

Commissioner Gilmore moved acceptance of the Consent Calendar. Commissioner Matarrese seconded. Motioned carried with 5 ayes and 1 abstain.

\*2-A. Minutes of the Special Board of Commissioner meeting held November 3, 2004. Minutes were accepted.

2-B. Minutes of the Special Board of Commissioner meeting held December 7, 2004. Minutes were accepted.

#### 3. AGENDA

3-A. Audit Report for Fiscal Year Ending June 30, 2004. Chair Johnson stated she has invited the auditor to present the audit report to the Board of Commissioners on February 1, 2005. Commissioner Gilmore moved acceptance of the audit report for the year ending June 30, 2004. Commissioner Matarrese seconded. Motioned carried with 5 ayes and 1 abstention from Commissioner Torrey.

#### 4. ORAL COMMUNICATIONS

None.

#### 5. COMMISSIONER COMMUNICATIONS

Commissioner Torrey wished everyone a Happy New Year.

#### 6. ADJOURNMENT

*"Dedicated to Excellence, Committed to Service."*

Minutes #2-A HABOC  
2-1-05

There being no further business, Chair Johnson adjourned the meeting at 7:50 p.m.

Attest:

\_\_\_\_\_  
Beverly Johnson, Chair

\_\_\_\_\_  
Michael T. Pucci  
Executive Director / Secretary



# Housing Authority of the City of Alameda

701 Atlantic Avenue - Alameda, California 94501-2161 - Tel: (510) 747-4300 - Fax: (510) 522-7848 - TDD: (510) 522-8467

TO: Honorable Chair and Members  
of the Board of Commissioners

FROM: William C. Norton  
Interim Chief Executive Officer

DATE: January 17, 2005

RE: Resolution to Amend the California Housing Workers' Compensation  
Authority Joint Powers Agreement

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## Background:

The Housing Authority is a member of the California Housing Workers' Compensation Authority (CHWCA) for its workers' compensation coverage. This arrangement has enabled the Housing Authority to realize savings for this coverage, which is required for the City employees who are contracted to work at this site.

## Discussion:

CHWCA's Executive Committee is recommending changes to the Joint Powers Authority (JPA) Agreement. The major changes recommended are to Article 9 – Premium Assessments, and Article 13 – Liability and Indemnification. Other minor changes include the clean up of grammar, punctuation, and formatting.

**Article 9** was recommended to be revised to read: "Article 9 – Premiums and Assessments – If aggregate premiums are insufficient to pay losses and administrative expenses for a fiscal year, the Executive Committee may assess and collect premium assessments, in addition to premiums, pursuant to Bylaw Section I.2.c (1) and/or (2) and in accordance with Resolution 2003-03 – Financial Stability Plan."

The above change is proposed to make the Agreement consistent with the By Laws as they were recently changed to allow for periodic special premium assessments when and where necessary to be consistent with CHWCA's Financial Stability Plan.

**Article 13** was recommended to be revised to read: "Article 13.A. – Liability and Indemnification – Pursuant to the provisions of Section 895, et seq. of the California Government Code, each member hereto agrees to defend, indemnify, and hold harmless each other member from any liability, claim, or judgment for injury or damages caused by a negligent or wrongful act or omission of any agent, officer and/or employee of a member which occurs or arises out of performance of this Agreement,

provided that, pursuant to Government Code Section 6512.2, Section 895.2 is specifically not applicable to the Members for purposes of this Agreement.”

The second change recommended above is technical, but significant. The change would clarify the intention of the member entities to limit and minimize their potential joint and several liability under the Agreement. Currently, that section provides for joint and several liability among all parties. Thus any and all members can be held individually liable to any negligent or wrongful act covered by the JPA Agreement. The liability exposure goes **beyond** the contributions and premiums being paid by members.

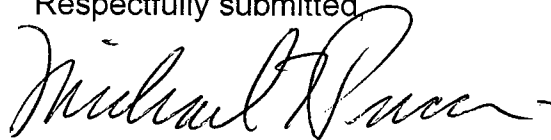
This level of exposure was not the intent of the JPA; the proposed change would address this problem. The Government Code was specifically enacted to provide an exception in those instances where public entities form a JPA for self-insurance pooling purposes, as is the case here. The proposed change, as recommended by CHWCA legal counsel and approved by Housing Authority counsel, will make clear that the members of the JPA are not voluntarily waiving their rights to the exemption from the joint and several liability requirements.

Amendment 16 of the JPA Agreement requires a two-thirds vote of the Board of Directors, acting through their governing bodies. The Housing Authority's governing body, the Board of Commissioners can approve the Amendments to the JPA Agreement by resolution. A copy of the proposed resolution and revised Joint Powers Agreement are attached as Exhibits A and B.

Recommendation:

The Interim Chief Executive Officer recommends adoption of the attached Resolution to approve changes to clarify Articles 9 and 13 of the Joint Powers Authority Agreement for workers' compensation coverage.

Respectfully submitted

A handwritten signature in black ink, appearing to read "Michael T. Pucci", with a stylized flourish at the end.

Michael T. Pucci  
Executive Director

MTP:ED  
Attachments

HOUSING AUTHORITY OF THE CITY OF ALAMEDA

*Resolution No. \_\_\_\_\_*

AMENDING THE JOINT POWERS AGREEMENT  
OF THE  
CALIFORNIA HOUSING WORKERS' COMPENSATION AUTHORITY

**WHEREAS**, this Housing Authority (herein referred to as the Authority) is a member of the California Housing Workers' Compensation Authority (herein referred to as CHWCA); and

**WHEREAS**, the Executive Committee of the Board of Directors of CHWCA has recommended that the Joint Powers Agreement thereof be amended to clarify CHWCA's position on premium assessments by aligning Article 9 of the Agreement with CHWCA's Bylaws, and to clearly align Article 13 of the Agreement with Government Code sections 895 and 6512.2, relating to the indemnification of CHWCA's Board of Directors; and

**WHEREAS**, it is in the best interest of the authority to approve said amendments.

**NOW THEREFORE**, the Board of Commissioners of the Housing Authority of the City of Alameda resolves that:

This Authority votes affirmatively to amend Articles 9 and 13.A. of the Joint Powers Agreement of the California Housing Workers' Compensation Authority, to read as follows:

"Article 9 – Premiums and Assessments – If aggregate premiums are insufficient to pay losses and administrative expenses for a fiscal year, the Executive Committee may assess and collect premium assessments, in addition to premiums, pursuant to Bylaw Section 1.2.c(1) and/or (2) and in accordance with Resolution 2003-03 – Financial Stability Plan."

"Article 13.A. – Liability and Indemnification – Pursuant to the provisions of Section 895, et seq. of the California Government Code, each member hereto agrees to defend, indemnify, and hold harmless each other member from any liability, claim or judgment for injury or damages caused by a negligent or wrongful act or omission of an agent, officer and/or employee of a member which occurs or arises out of performance of this Agreement, provided that, pursuant to Government Code Section 6512.2, Section 895.2 is specifically not applicable to the Members for purposes of this Agreement.

ATTEST:

\_\_\_\_\_  
Michael T. Pucci  
Executive Director/Secretary

\_\_\_\_\_  
Beverly Johnson, Chair  
Board of Commissioners

AYES: \_\_\_\_\_

NAYES: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

ABSENT: \_\_\_\_\_

Adopted: \_\_\_\_\_  
Date

Approved as to Form  
*[Signature]*  
ASSIST. GENERAL COUNSEL

## **JOINT POWERS AGREEMENT CREATING THE CALIFORNIA HOUSING WORKERS' COMPENSATION AUTHORITY**

This Agreement is executed in the State of California by and among those public housing authorities, housing authorities and redevelopment agencies, or housing commissions, organized and existing under the Constitution of the State of California which are parties signatory to this Agreement. All such agencies hereinafter called Members, shall be listed in Exhibit A, which shall be attached hereto and made a part hereof.

### **RECITALS**

WHEREAS, Article 1, Chapter 5, Division 7, Title 1 of the California Government Code (§ 6500 et seq.) permits two or more public agencies by Agreement to exercise jointly powers common to the contracting parties; and

WHEREAS, Article 16, § 6 of the California Constitution provides that insurance pooling arrangements under joint exercise of power agreements shall not be considered the giving or lending of credit as prohibited therein; and

WHEREAS, California Government Code § 990.4 provides that a local public entity may self-insure, purchase insurance through an authorized carrier, or purchase insurance through a broker, or any combination of these; and

WHEREAS, pursuant to California Government Code § 990.6, the cost of insurance provided by a local public entity is a proper charge against the local public entity; and

WHEREAS, California Government Code § 990.8 provides that two or more local entities may, by a joint powers Agreement, provide insurance for any purpose by any one or more of the methods specified in Government Code § 990.4 and such joint pooling of self-insured claims or losses is not considered insurance nor subject to regulation under the Insurance Code; and

WHEREAS, the Member executing this Agreement desires to join with other Members for the purpose of jointly funding a program of workers' compensation coverage;

NOW THEREFORE, the parties agree as follows:



## **ARTICLE I**

### **PURPOSES**

This Agreement is entered into by the Members in order that they may jointly develop and fund a self-insurance program for workers' compensation and employers' liability, which provides for the pooling of self-insured claims or losses among the members. Such program may include, but shall not be limited to: the creation of a joint self-insurance fund, the purchase of excess insurance, and the provision of necessary administrative services. Such administrative services may include, but shall not be limited to: risk management consulting, loss prevention and control, centralized loss reporting, actuarial consulting, claims adjusting, and legal defense services.

## **ARTICLE 2**

### **PARTIES TO AGREEMENT**

A. Each Member as a party to this Agreement, certifies that it intends to and does contract with all other Members as parties to this Agreement and with such other public housing authorities as may later be added as parties to this Agreement pursuant to provisions in the Bylaws. Each Member also certifies that the removal of any party from this Agreement pursuant to Section P of the Bylaws shall not affect this Agreement or the Member's obligations hereunder.

B. A Member may contract on behalf of and provide coverage to any additional entity from the time that the Member provides the Authority written notice of the named inclusion of such entity and the additional entity is approved by a majority of the Executive Committee. Such additional entities shall not be considered a separate party to this Agreement, shall not affect the Member's representation on the Board of Directors, and shall be part of and represented by the Member for all purposes under this Agreement.

## **ARTICLE 3**

### **TERM**

This Agreement shall become effective when executed and returned to this Authority by at least three Members. The Authority shall promptly notify all Members in writing of such effective date. This Agreement shall continue in effect until terminated as provided herein and in the Bylaws.

## **ARTICLE 4**

### **CREATION OF THE AUTHORITY**

Pursuant to the joint powers law, there is hereby created a public entity separate and apart from the parties hereto, to be known as the California Housing Workers' Compensation Authority, with such powers as are hereinafter set forth.

## **ARTICLE 5**

### **POWERS OF THE AUTHORITY**

The Authority shall have all of the powers common to public housing authorities in California and all additional powers set forth in the joint powers law, and is hereby authorized to do all acts necessary for the exercise of said powers. Such powers include, but are not limited to, the following:

- (a) To make and enter into contracts.
- (b) To incur debts, liabilities, and obligations.
- (c) To acquire, hold, or dispose of property, contributions and donations of property, funds, services, and other forms of assistance from persons, firms, corporations, and government entities.
- (d) To sue and be sued in its own name, and to settle any claim against it.
- (e) To receive and use contributions and advances from Members as provided in Government Code § 6504, including contributions or advances of personnel, equipment, or property.
- (f) To invest any money in its treasury that is not required for its immediate necessities, pursuant to Government Code § 6509.5
- (g) To carry out all provisions of this Agreement.

Said powers shall be exercised pursuant to the terms hereof and in the manner provided by law.

## **ARTICLE 6**

### **BOARD OF DIRECTORS**

The Authority shall be governed by the Board of Directors, composed of one representative from each Member. The Board representative shall be the Executive Director or his or her designee. Each Member Executive Director shall also appoint an alternate representative who shall have the authority to attend, participate in, and vote at any meeting of the Board when the representative is absent. The representative and alternate shall be an official or staff person of the Member, and upon termination of office or employment with the Member, shall automatically terminate membership or alternate membership on the Board.

Any vacancy in a representative or alternate representative position shall be filled by the appointing Member's Executive Director, subject to the provisions of this Section.

A majority of the membership of the Board shall constitute a quorum for the transaction of business. Each member of the Board shall have one vote. Except as otherwise provided in the Bylaws or any other duly executed agreement of the Members, action of the Board shall require the affirmative vote of a majority of the Members present and voting.

At any meeting at which a quorum is initially present, the Board may continue to transact business notwithstanding the withdrawal of enough Members to leave less than a quorum, provided that each action is approved by at least a majority of the number required to constitute a quorum.

## **ARTICLE 7**

### **POWERS OF BOARD OF DIRECTORS**

The Board of Directors shall have the following powers and functions:

1. The Board shall exercise all powers and conduct all business of the Authority, either directly or by delegation to other bodies or persons unless otherwise prohibited by these Bylaws, or any other duly executed agreement of the Members or by law.
2. The Board shall elect an Executive Committee, as provided in Section D of the Bylaws. The Board may delegate to the Executive Committee and the Executive Committee may discharge any powers or duties of the Board.
3. The Board shall have such other powers and duties as are reasonably necessary to carry out the purposes of the Authority.

## **ARTICLE 8**

### **MINIMUM PARTICIPATION PERIOD**

The Member shall participate in the Authority's coverage program for a minimum period of three years. During the initial three year period, this Agreement may be terminated only by the Authority in accordance with the provisions of Section P of the Bylaws. The minimum three year period shall begin the first date of coverage and expire at the end of three consecutive years.

## **ARTICLE 9**

### **PREMIUM ASSESSMENTS**

If aggregate premiums are insufficient to pay losses and administrative expenses for a fiscal year, the Executive Committee may assess and collect premium assessments, **in** addition to premiums, pursuant to Bylaw sections I.2.c (1) and/or (2) and in accordance with Resolution 2003-03 – Financial Stability Plan. The Member's share of any premium assessment shall bear the same relation to the total premium assessments charged all members as the Member's premium bears to the aggregate premiums collected from all Members during that fiscal year.

Any premium assessment shall be due and payable at such time and in such manner as the Executive Committee determines.

The voluntary withdrawal or involuntary expulsion of the Member from the Authority shall not discharge or affect the Member's obligation to pay premium assessments for all coverage periods in which the Member participated.

## **ARTICLE 10**

### **BYLAWS**

A. The Authority shall be governed pursuant to the Bylaws, a copy of which is attached hereto as Exhibit B, and incorporated herein by reference, and by such amendments to the Bylaws as may from time to time be adopted. Wherever in this Agreement "Bylaws" are referred to, said Bylaws shall be those set forth in Exhibit B, as may be amended. Each party to this agreement agrees to comply with and be bound by the provisions of said Bylaws and further agrees that the Authority shall be operated pursuant to the Agreement and said Bylaws.

B. The Bylaws may be amended by two-thirds (2/3) vote of the members **of** the Executive Committee.

## **ARTICLE 11**

### **DISPOSITION OF PROPERTY AND FUNDS**

A. In the event of the dissolution of the Authority, the complete recession, or other final termination of this Agreement by all public housing authorities then parties hereto, any property interest or surplus that is remaining in the Authority following a discharge of all obligations shall be disposed of as provided for by the Bylaws.

B. "Obligations", as referred to herein, shall include, but are not limited to, all payments required by law, together with all reserves established for the purpose of paying workers' compensation claims and related claim costs, together with any other legal obligations incurred by the Authority pursuant to this Agreement.

C. In the event a Member withdraws from or terminates membership in this Agreement, that Members' interest in the property and funds of the Authority shall be determined as set forth in the Bylaws.

## **ARTICLE 12**

### **SEVERABILITY**

Should any portion, term, condition or provision of this Agreement be decided by a court of competent jurisdiction to be illegal or in conflict with any laws of the State of California, or be otherwise rendered unenforceable or ineffectual, the validity of the remaining portions, terms, conditions and provisions shall not be affected thereby.

## **ARTICLE 13**

### **LIABILITY AND INDEMNIFICATION**

A. Pursuant to the provisions of Section 895, et seq. of the California Government Code, each member hereto agrees to defend, indemnify, and hold harmless each other member from any liability, claim, or judgment for injury or damages caused by a negligent or wrongful act or omission of an agent, officer and/or employee of a member which occurs or arises out of performance of this Agreement, provided that, pursuant to Government Code Section 6512.2, Section 895.2 is specifically not applicable to the Members for purposes of this Agreement.

B. The tort liability of the Authority, all members of the Board of Directors or Executive Committee appointed thereby, and all officers and employees of the Authority, shall be controlled by the provisions of Division 3.6 of Title I of the California Government Code.

C. The Authority may insure itself to the extent deemed necessary by the Board of Directors against loss, liability, and claims arising out of or connected with this Agreement.

D. The debts, liabilities, and obligations of the Authority do not constitute the debts, liabilities, and/or obligations of any Member.

## **ARTICLE 14**

### **ENFORCEMENT**

The Authority is hereby given the power to enforce this Agreement. In the event suit is brought under this Agreement, the prevailing party shall pay all costs incurred in bringing such action, including reasonable attorney's fees as fixed by the court.

## **ARTICLE 15**

### **NOTICES**

The Authority shall address notices, billings, and other communications to a Member as directed by the Member. Each Member shall provide the Authority with the address to which communications are to be sent. Members shall address notices and other communications to the Authority to the Program Administrator of the Authority at the office address of the Authority as set forth in the Bylaws.

## **ARTICLE 16**

### **AMENDMENT**

This Agreement may be amended at any time by vote of two-thirds of the Members, acting through their governing bodies.

## **ARTICLE 17**

### **EFFECTIVE DATE OF AMENDMENTS**

Any amendment of this Agreement shall become effective upon the Authority receiving notice of the approval of any Amended Agreement by the governing bodies of two-thirds of the Members.

## **ARTICLE 18**

### **PROHIBITION AGAINST ASSIGNMENT**

No Member may assign any right, claim, or interest it may have under this Agreement, and no creditor, assignee, or third party beneficiary of any public housing authorities shall have any right, claim or title to any part, share, interest, fund, premium, or asset of the Authority.

## **ARTICLE 19**

### **FILING WITH SECRETARY OF STATE**

The Program Administrator of the Authority shall file a notice of this Agreement with the office of California Secretary of State within 30 days of its effective date, as required by Government Code § 6503.5 and within 70 days of its effective date as required as required by Government Code § 54051.

IN WITNESS WHEREOF, the undersigned party hereto has executed this Agreement on the date indicated below

Dated:

\_\_\_\_\_

PUBLIC HOUSING AUTHORITY

By:

\_\_\_\_\_

\_\_\_\_\_  
*(Type Name)*

\_\_\_\_\_  
*(Housing Authority)*

## **EXHIBIT A**

### **CHWCA Members**

**ALAMEDA CITY HOUSING AUTHORITY  
ALAMEDA COUNTY HOUSING AUTHORITY  
BENECIA HOUSING AUTHORITY  
BUTTE HOUSING AUTHORITY  
CONTRA COSTA HOUSING AUTHORITY  
EUREKA/HUMBOLDT HOUSING AUTHORITY  
FRESNO HOUSING AUTHORITY  
KINGS COUNTY HOUSING AUTHORITY  
MADERA HOUSING AUTHORITY  
MARIN HOUSING AUTHORITY  
MENDOCINO HOUSING AUTHORITY  
MERCED HOUSING AUTHORITY  
MONTEREY HOUSING AUTHORITY  
PASO ROBLES HOUSING AUTHORITY  
PLUMAS HOUSING AUTHORITY  
RIVERBANK HOUSING AUTHORITY  
RIVERSIDE HOUSING AUTHORITY  
SACRAMENTO HOUSING & REDEVELOPMENT AGENCY  
SAN BERNARDINO HOUSING AUTHORITY  
SAN DIEGO HOUSING AUTHORITY  
SAN JOAQUIN HOUSING AUTHORITY  
SAN LUIS OBISPO HOUSING AUTHORITY  
SAN MATEO HOUSING AUTHORITY  
SANTA BARBARA HOUSING AUTHORITY  
SANTA CLARA HOUSING AUTHORITY  
STANISLAUS COUNTY HOUSING AUTHORITY  
SUTTER HOUSING AUTHORITY  
TULARE HOUSING AUTHORITY  
UPLAND HOUSING AUTHORITY  
VENTURA AREA HOUSING AUTHORITY  
YOLO HOUSING AUTHORITY**





# Housing Authority of the City of Alameda

701 Atlantic Avenue - Alameda, California 94501-2161 - Tel: (510) 747-4300 - Fax: (510) 522-7848 - TDD: (510) 522-8467

Date: January 19, 2005

To: Honorable Chair and Members  
of the Board of Commissioners

From: William C. Norton  
Interim Chief Executive Officer

RE: Presentation of Audit Report for Fiscal Year Ending June 30, 2004

## Background:

The financial statements of the Housing Authority of the City of Alameda for the fiscal year ending June 30, 2004, were prepared in the format prescribed by the requirements of Government Accounting Standards Board Statement 34 (GASB 34).

The firm of Wallace Rowe and Associates, Certified Public Accountants, has certified the audited financial statements of the Housing Authority for the fiscal year reported above. The Financial Statements provide a brief summary of all Housing Authority funds. There were no findings reported for FY2004.

## Discussion:

At the January 4, 2005 Board of Commissioners meeting the board voted to accept the audit report. It was reported at that meeting that the auditor would be present at the February 1, 2005 meeting to make a presentation on the audit.


Honorable Chair and Members  
of the Board of Commissioners

January 19, 2005  
Page 2 of 2

Recommendation:

This report is for information purposes only.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael T. Pucci". The signature is fluid and cursive, with the first name "Michael" and last name "Pucci" clearly distinguishable.

Michael T. Pucci  
Executive Director

MTP:caw

Attachment

U:\board of commissioners\audit report 205

**HOUSING AUTHORITY  
OF THE CITY OF ALAMEDA  
FINANCIAL STATEMENTS  
YEAR ENDED JUNE 30, 2004  
(Including Auditors' Report Thereon)**

**HOUSING AUTHORITY OF THE CITY OF ALAMEDA**  
**FINANCIAL STATEMENTS**  
**JUNE 30, 2004**

**TABLE OF CONTENTS**

	<b><u>Page</u></b>
Independent Auditors' Report	1
Management's Discussion and Analysis	3
Enterprise Fund Financial Statements:	
Statement of Net Assets - Proprietary Funds	12
Statement of Revenues, Expenses, and Changes in Net Assets - Proprietary Funds	13
Statement of Cash Flows - Proprietary Funds	14
Notes to the Basic Financial Statements	15
Supplemental Information:	
Schedule of Expenditures of Federal Awards	25
Statement of Completed Capital Fund Program	26
Report on Compliance and on Internal Control Over Financial Reporting Based on an Audit of Financial Statements Performed in Accordance with <i>Government Auditing Standards</i>	27
Report on Compliance with Requirements Applicable to Each Major Program and Internal Control Compliance in Accordance with OMB Circular A-133	29
Status of Prior Audit Findings	31
Report on Findings and Questioned Costs	32
Financial Data Schedule	33

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Pleasant Hill, CA 94523

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Fax (925) 229-1952  
wroweassoc@aol.com

## INDEPENDENT AUDITORS' REPORT

To the Board of Commissioners  
Housing Authority of the  
City of Alameda  
Alameda, California

We have audited the financial statements of the business-type activities and each major fund of the Housing Authority of the City of Alameda, California, as of and for the year ended June 30, 2004 which collectively comprise the Authority's basic financial statements as listed in the table of contents. These financial statements are the responsibility of the Housing Authority of the City of Alameda, California, management. Our responsibility is to express an opinion on these financial statements based on our audit.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America and *Government Auditing Standards (2003 Revision)*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the basic financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall basic financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the business activities of the Housing Authority of the City of Alameda, California, as of June 30, 2004, and the respective changes in financial position and cash flow for the year then ended in conformity with accounting principles generally accepted in the United States of America.

In accordance with *Government Auditing Standards*, we have also issued our report dated December 21, 2004, on our consideration of the Housing Authority of the City of Alameda, California internal control over final reporting and our tests of its compliance with certain provisions of laws, regulations, contracts, and grants. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* and should be read in conjunction with this report in considering the results of our audit.

The management's discussion and analysis on pages 3 through 10 are not a required part of the basic financial statements but is supplementary information required by accounting principles generally accepted in the United States of America. We have applied certain limited procedures, which consisted principally of inquiries of management regarding the methods of measurement and presentation of the supplementary information. However, we did not audit the information and express no opinion on it.

Our audit was performed for the purpose of forming an opinion on the financial statements that collectively comprise the Housing Authority of the City of Alameda, California, basic financial statements. The accompanying Schedule of Expenditures of Federal Awards, Statement of Completed Capital Fund Projects and Financial Data Schedule are presented for purposes of additional analysis as required by the U.S. Office of Management and Budget Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations, and the U.S. Department of Housing and Urban Development, and are not a required part of the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and, in our opinion, is fairly stated in all material respects, in relation to the basic financial statements taken as a whole.

*Walter E. Rowe CPA*

December 21, 2004

## MANAGEMENT DISCUSSION AND ANALYSIS

As management of the Housing Authority of the City of Alameda (AHA) we offer readers of AHA's financial statements this narrative, overview and analysis of the financial activities of AHA for the fiscal year ending June 30, 2004. We encourage readers to consider the information presented here in conjunction with AHA's financial statements as presented in this report.

The financial statements for the fiscal year 2004 are being issued in the format prescribed by the provisions of Government Accounting Standards Board Statement Number 34 (or GASB 34), which requires the Authority to provide this overview of its financial statements for the fiscal year. Please read it in conjunction with the Basic Financial Statements.

The Housing Authority of the City of Alameda provides housing assistance to low income families and individuals. The Authority's primary source of funding is from governmental grants received from the U.S. Department of Housing and Urban Development (HUD) and rent collections from its owned or administered housing units.

The following management discussion and analysis (MD&A) will discuss the results of the authority's operations. Key financial information for the current fiscal year will be compared with those of the prior year.

### A. Financial Highlights

- The two primary revenue resources of the Authority are the U.S. Department of Housing and Urban Development (HUD) grants and rents collected from its owned or administered housing units which totaled \$26,295,458 in fiscal 2004 compared to \$25,728,264 in fiscal 2003
- The assets of AHA exceeded its liabilities at the close of the most recent fiscal year by \$13,787,038 (net assets) as opposed to \$16,018,667 last year.
- As of the close of the current fiscal year, AHA's Proprietary Fund reported Unrestricted Net Assets of \$935,637 compared to 5,073,385 for the prior fiscal year. This was due to operating losses sustained in fiscal 2004, which will be discussed in further detail in section C below, and changes in the classification of certain cash assets held with trustees.
- AHA's cash and cash equivalent and investment balance at June 30, 2004 was \$2,573,948, representing a decrease of \$1,871,900 from the fiscal year 2003 balance of \$4,445,848.
- AHA's had Operating Revenues of \$26,477,315 and Operating Expenses of \$27,833,125 for the fiscal year ending June 30, 2004.
- There were no capital outlays for the fiscal year ending June 30, 2004.
- AHA's Expenditures of Federal Awards amounted to \$20,921,847

## **B. Using the Annual Report**

### **Management Discussion and Analysis**

Management's Discussion and Analysis are intended to serve as an introduction to AHA's financial statements. AHA's Financial Statements and Notes to the Financial Statements included in this report were prepared in accordance with GAAP applicable to governmental entities in the United States of America for Proprietary Fund types.

### **Government wide Financial Statements**

The government wide financial statements are designed to provide readers with a broad overview of AHA's finances in a manner similar to a private-sector business. They consist of Comparative Statements of Net Assets, Comparative Statements of Activities and Budget Comparison.

The Comparative Statements of Net Assets present information on all AHA's assets and liabilities with the difference between the two reported as net assets. Increases or decreases in net assets will serve as a useful indicator of whether the financial position of the Authority is improving or deteriorating.

Comparative Statements of Activities present information showing how the Authority's net assets changed during the most recent fiscal year. All changes in net assets are reported as soon as the underlying event giving rise to the change occurs, regardless of the timing of unrelated cash flows. Thus, revenues and expenses are reported in this statement for some items that will only result in cash flows in future fiscal periods (e.g., depreciation and earned but unused vacation leave).

The government wide financial statements report on AHA's activities. The activities are primarily supported by HUD subsidies and grants. AHA's function is to provide decent, safe and sanitary housing to low income and special needs populations. The financial statements can be found after this management discussion and analysis.

### **Notes to Financial Statements**

The Notes to Financial Statements provide additional information that is essential to a full understanding of the data provided in the general purpose financial statements. The Notes to Financial Statements can be found in this report after the general purpose financial statements.

### **Supplemental Information**

The schedule of expenditures of Federal awards is presented for purposes of additional analysis as required by U.S. Office of Management and Budget Circular A-133, Audits of States, Local Governments and Non-Profit Organizations. The schedule of Federal awards can be found in the Supplemental Information section of this report.



### **C. Housing Authority of the City of Alameda as a Whole**

AHA's net assets decreased during the fiscal year as detailed below. AHA's revenues are primarily tenant rents and federal subsidies and grants received from the U. S. Department of Housing and Urban Development (HUD). AHA receives dwelling rents from low income seniors and families based on 30% of their gross income adjusted per HUD rules and regulations. AHA also receives housing assistance subsidies and administrative fees for operating the local Housing Choice Voucher program. AHA also receives subsidies each month for its owned low rent housing units. AHA's revenues were not sufficient to cover all expenses, excluding depreciation, during the fiscal year. Expenses exceeding revenues were paid out of unrestricted net assets. Due too over leasing and HUD requirements for strict per unit cost, the Housing Authority was caught in a funding shortfall. A great deal of information and public discussion has taken place over the last several months regarding the impact of these Federal requirements on the Housing Authority, tenants and landlords. The Housing Authority has subsequently taken action to mitigate the situation and correct most of the over leasing and per unit cost problems on a go forward basis.

As a result of these aforementioned Federal regulatory actions, the Housing Authority has moved reserves from Housing Authority owned program funds to the Voucher program to support shortfalls in funding. At the Housing Authority's fiscal year end this transfer amounted to \$2,479,682.

### **D. Budgetary Highlights**

For the fiscal year ended June 30, 2004, AHA-wide budgets were prepared for the agency. The budgets were primarily used as a management tool. The budgets were prepared in accordance with the accounting procedures prescribed by the applicable funding agency. The most significant budget variance relates to the factors associated with the Federal funding changes discussed above under Section C. the Housing Authority as a Whole.

The budget comparison too actual can be found just after the statement of comparative activities.

### **E. Capital Assets and Debt Administration**

#### **o Capital Assets**

As of June 30, 2004, AHA's investment in Capital Assets for its Proprietary Fund was \$26,608,859 (net of accumulated depreciation). This investment in Capital Assets includes land, buildings, equipment and construction in progress.

There were no major capital assets purchased from grants during the fiscal year. Capital asset purchases are funded by grants from HUD. However, as mentioned, there were no capital asset purchases during the fiscal year.

Additional information on AHA's Capital Assets can be found in Note 4 to the Financial Statements included in this report.

- o Long Term Debt

There was no additional long term debt added during the fiscal year. There also were no long term debt payoffs during the year. All obligations were paid up to current as of the end of the fiscal year. Please see Note 5 for a detailed breakdown of the loan balances, principal reductions during the fiscal year and the terms of the long term debt.

#### **F. Economic Factors and Next Year's Budgets and Rates**

The following factors were considered in preparing AHA's budget for Fiscal Year Ending June 30, 2005:

- o The state of the economy given high budget deficits.
- o The need for Congress to fund the war on terrorism and continued cutbacks on HUD subsidies and grants.
- o Rising health and liability insurance premiums.

**HOUSING AUTHORITY OF THE CITY OF ALAMEDA**  
**COMPARATIVE STATEMENT OF NET ASSETS**  
**JUNE 30, 2004**

	<u>Enterprise Fund</u>	
	<u>2004</u>	<u>2003</u>
<b>Assets</b>		
Current and Other Assets	\$ 3,956,251	\$ 5,914,098
Capital Assets	<u>26,608,859</u>	<u>7,357,873</u>
Total Assets	<u>\$ 30,565,110</u>	<u>\$ 33,271,971</u>
<b>Liabilities</b>		
Current and Other Liabilities	\$ 1,048,439	\$ 1,085,738
Long-term Liabilities	<u>15,729,633</u>	<u>16,167,566</u>
Total Liabilities	<u>16,778,072</u>	<u>17,253,304</u>
<b>Net Assets</b>		
Invested in Capital Assets, net of related debt	10,563,543	10,945,282
Restricted Net Assets	1,715,431	-
Unrestricted Net Assets	<u>1,508,064</u>	<u>5,073,385</u>
Total Net Assets	<u>\$ 13,787,038</u>	<u>\$ 16,018,667</u>

**HOUSING AUTHORITY OF THE CITY OF ALAMEDA**  
**COMPARATIVE STATEMENT OF ACTIVITIES**  
**JUNE 30, 2004**

		<u>Enterprise Fund</u>	
		<u>2004</u>	<u>2003</u>
<b><u>Operating Revenues</u></b>			
Grants		\$ 23,420,341	\$ 22,967,145
Rents		2,875,117	2,761,119
Other		<u>181,857</u>	<u>166,285</u>
Total Revenues		<u>26,477,315</u>	<u>25,894,549</u>
<b><u>Operating expenses</u></b>			
Administration		2,491,443	2,087,023
Utilities		440,246	392,098
Tenant services		220,010	158,200
Maintenance		2,210,029	2,043,873
Protective services		170,000	-
General		191,435	951,016
Housing Assistance Payments		21,360,949	18,562,530
Depreciation		<u>749,014</u>	<u>780,887</u>
Total Expenses		<u>27,833,126</u>	<u>24,975,627</u>
Operating Income (Loss)		<u>(1,355,811)</u>	<u>918,922</u>
<b><u>Non-Operating Revenues (Expenses)</u></b>			
Donation of land		-	2,626,356
Investment income		39,982	60,183
Interest expense		<u>(915,800)</u>	<u>(968,621)</u>
Non-Operating revenue (loss)		<u>(875,818)</u>	<u>1,717,918</u>
Net Income (Loss)		(2,231,629)	2,636,840
Net Assets, Beginning of Year		<u>16,018,667</u>	<u>13,381,827</u>
Net Assets, End of Year		<u>\$ 13,787,038</u>	<u>\$ 16,018,667</u>

**HOUSING AUTHORITY OF THE CITY OF ALAMEDA**  
**BUDGET TO ACTUAL COMPARISON**  
**JUNE 30, 2004**

	<u>2004 Budget</u>	<u>2004 Actual</u>	<u>Favorable (Unfavorable) Variance</u>
<b><u>Operating Revenues</u></b>			
Grants	\$ 22,533,054	\$ 23,420,341	\$ 887,287
Rents	2,883,986	2,875,117	(8,869)
Other	<u>331,391</u>	<u>181,857</u>	<u>(149,534)</u>
Total Revenues	<u>25,748,431</u>	<u>26,477,315</u>	<u>728,884</u>
<b><u>Operating expenses</u></b>			
Administration	2,765,859	2,491,443	274,416
Utilities	420,502	440,246	(19,744)
Tenant services	203,360	220,010	(16,650)
Maintenance	2,147,800	2,210,029	(62,229)
Protective services	170,000	170,000	-
General	145,873	191,435	(45,562)
Housing Assistance Payments	18,533,030	21,360,949	(2,827,919)
Depreciation	<u>749,014</u>	<u>749,014</u>	<u>-</u>
Total Expenses	<u>25,135,438</u>	<u>27,833,126</u>	<u>(2,697,688)</u>
Operating Income (Loss)	<u>612,993</u>	<u>(1,355,811)</u>	<u>(1,968,804)</u>
<b><u>Non-Operating Revenues (Expenses)</u></b>			
Investment income	119,131	39,982	(79,149)
Interest expense	<u>(596,226)</u>	<u>(915,800)</u>	<u>(319,574)</u>
Non-Operating revenue (loss)	<u>(477,095)</u>	<u>(875,818)</u>	<u>(398,723)</u>
Net Income (Loss)	<u>\$ 135,898</u>	<u>\$ (2,231,629)</u>	<u>\$ (2,367,527)</u>

## **G. Contacting AHA's Financial Management**

This financial report is intended to provide a general overview of the Authority's finances for all those with an interest. Questions about this report should be directed to the Finance Manager at 701, Atlantic Avenue, Alameda, California 94501.

**STATEMENT OF NET ASSETS AND  
STATEMENT OF REVENUES, EXPENSES, AND  
CHANGES IN NET ASSETS -  
PROPRIETARY FUND TYPES**

The Statement of Net Assets and Statement of Revenues, Expenses, and Changes in Net Assets - Proprietary Funds are statements required by Government Accounting Board Statement 34. Their purpose is to summarize the entire Authority's financial activities and financial position. They are prepared on the same basis as is used by most businesses, which means they include all the Authority's assets and its liabilities, as well as its revenues and expenses. This is known as the full accrual basis - the effect of all the Authority's transactions is taken into account, regardless of whether or when cash changes hands.

The Statement of Net Assets reports the difference between the Authority's total assets and the Authority's total liabilities. The statement of Net Assets presents similar information to the old balance sheet format, but presents it in a way that focuses the reader on the composition of the Authority's net assets, by subtracting total liabilities from total assets.

The Statement of Net Assets summarizes the financial position of all the Authority's Business-Type Activities.

**HOUSING AUTHORITY OF THE CITY OF ALAMEDA**  
**STATEMENT OF NET ASSETS**  
**PROPRIETARY FUNDS**  
**JUNE 30, 2004**

Enterprise Fund  
Housing

**ASSETS**

Current Assets:

Cash and investments (Note 3)	\$ 2,573,948
Due from other governments	1,283,449
Tenant accounts receivable	31,315
Accounts receivable - other	38,490
Prepaid expenses	23,471
Inventory	<u>5,578</u>
Total current assets	<u>3,956,251</u>

Fixed Assets (note 4):

Land	7,746,432
Structures	29,929,209
Equipment	<u>200,988</u>
	37,876,629
Less Accumulated Depreciation	<u>(11,267,770)</u>
Net fixed assets	<u>26,608,859</u>
Total assets	<u>\$ 30,565,110</u>

**LIABILITIES**

Current Liabilities:

Accounts payable - vendors	\$ 167,332
Accounts payable - other agencies	11,733
Tenant security deposits	308,658
Accrued liabilities	48,270
Notes payable	392,153
Accrued compensated absences	<u>120,293</u>
Total current liabilities	<u>1,048,439</u>

Noncurrent liabilities:

Notes payable	15,653,163
Compensated absences	<u>76,470</u>
Total noncurrent liabilities	<u>15,729,633</u>
Total liabilities	<u>16,778,072</u>

**NET ASSETS**

Invested in capital assets, net of related debt	10,563,543
Restricted	1,715,431
Unrestricted	<u>1,508,064</u>
Total fund equity	<u>13,787,038</u>
Total liabilities and fund equity	<u>\$ 30,565,110</u>

**The accompanying notes are an integral part of this statement.**



**HOUSING AUTHORITY OF THE CITY OF ALAMEDA  
COMBINED STATEMENT OF REVENUES, EXPENSES, AND  
CHANGES IN NET ASSETS -  
PROPRIETARY FUND TYPES  
FOR THE YEAR ENDED JUNE 30, 2004**

	<u>Enterprise Fund</u> <u>Housing</u>
<u>Operating Revenues</u>	
Grants	\$ 23,420,341
Rents	2,875,117
Other	<u>181,857</u>
Total revenues	<u>26,477,315</u>
<u>Operating Expenses</u>	
Administration	2,491,443
Utilities	440,246
Tenant services	220,010
Maintenance	2,210,029
Protective services	170,000
General	191,435
Housing assistance payments	21,360,949
Depreciation	<u>749,014</u>
Total expenditures	<u>27,833,126</u>
Operating income (loss)	<u>(1,355,811)</u>
<u>Non-Operating Revenues (Expenses)</u>	
Investment income	39,982
Interest expense	<u>(915,800)</u>
Net non-operating revenue (expenses)	<u>(875,818)</u>
Net income	(2,231,629)
Total net assets, beginning	<u>16,018,667</u>
Total net assets, ending	<u>\$ 13,787,038</u>

**The accompanying notes are an integral part of this statement.**

**HOUSING AUTHORITY OF THE CITY OF ALAMEDA  
COMBINED STATEMENT OF CASH FLOWS -  
PROPRIETARY FUND TYPES  
FOR THE YEAR ENDED JUNE 30, 2004**

	<u>Enterprise Fund</u> <u>Housing</u>
<u>Cash flows from operating activities:</u>	
Cash received from grants	\$ 23,390,776
Cash received from rents	2,862,504
Other cash receipts	321,068
Cash paid to employees	(2,513,122)
Cash payments to suppliers	(2,110,990)
Cash payments to landlords	<u>(21,360,949)</u>
Net cash provided (used) in operating activities	<u>(589,287)</u>
<u>Cash flows from capital and related financing activities:</u>	
Mortgage principal payments	(367,275)
Mortgage interest payments	<u>(955,320)</u>
Net cash (used) by capital and related financing activities	<u>(1,322,595)</u>
<u>Cash flows from investing activities:</u>	
Interest received	<u>39,982</u>
Net cash provided by investing activities	<u>39,982</u>
Net increase (decrease) in cash	(1,871,900)
Cash at beginning of year	<u>4,445,848</u>
Cash at end of year	<u>\$ 2,573,948</u>
<u>Reconciliation of operating income (loss) to net cash</u> <u>provided (used) by operating activities:</u>	
Operating income (loss)	\$ (1,355,811)
Adjustments to reconcile operating income (loss) to net cash provided (used) by operating activities:	
Depreciation	749,014
Changes in assets and liabilities:	
Decrease in accounts receivable	139,211
Increase in due from other governments	(41,298)
Increase in tenants accounts receivable	(12,613)
Increase in prepaid expenses	(1,837)
Decrease in inventories	2,484
Increase in accounts payable	134,294
Increase in accounts payable other agencies	11,733
Increase in tenants security deposits payable	52,011
Decrease in other accrued liabilities	(323,929)
Increase in compensated absences	<u>57,454</u>
Net cash provided by operating activities	<u>\$ (589,287)</u>

**The accompanying notes are an integral part of this statement.**

**HOUSING AUTHORITY OF THE CITY OF ALAMEDA**  
**NOTES TO THE BASIC FINANCIAL STATEMENTS**  
**JUNE 30, 2004**

**Note 1 - DEFINITION OF REPORTING ENTITY**

The Housing Authority of the City of Alameda (the Authority) was established on August 8, 1940, by a resolution of the City of Alameda City Council. The Authority is governed by a six member Board of Commissioners. Five of these members are also members of the City Council of the City of Alameda and one member is a resident in one of the Authority's complexes. The Board retains authority over the budget but has delegated authority for most other policy decisions to the seven member Housing Commission. The City Council appoints the members of the Housing Commission who serve for either two or four year terms.

During the year ended June 30, 2004, the Authority did not exercise oversight responsibility over any other organizations. The financial statements present information for the activities of only that portion of funds and account groups of the Housing Authority of the City of Alameda. These financial statements do not present information of any other component unit or department of the City of Alameda.

**Note 2 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES**

**A. Basis of Presentation**

The accompanying financial statements are presented on the basis set forth in Government Accounting Standards Board Statement 34, *Basic Financial Statements-and Management's Discussion and Analysis-for State and Local Governments*. GASB 34 requires that the financial statements described below be presented.

**Government-wide Statements:** The Statement of Net Assets and Statement of Activities display information about the primary government (the Authority). These statements include the financial activities of the overall Authority. These statements distinguish between the *governmental and business-type activities* of the Authority. Business-type activities are financed in whole or in part by fees charged to external parties. There were no governmental type activities for the Authority for fiscal year 2004.

The Statement of Activities presents a comparison between direct expenses and program revenues for each segment of the business-type activities of the Authority and for each function of the Authority's governmental activities (if such activities were to exist). Direct expenses are those that are specifically associated with a program or function and, are clearly identifiable to a particular function. Program revenues include grants and contributions that are restricted to the operations of a particular program. Revenues that are not classified as program revenues are presented as general revenues.

**HOUSING AUTHORITY OF THE CITY OF ALAMEDA**  
**NOTES TO FINANCIAL STATEMENTS**  
**JUNE 30, 2004**

**Note 2 (continued)**

**Fund Financial Statements:** The fund financial statements provide information about the Authority's funds. The emphasis of fund financial statements is on major individual governmental funds, each of which is displayed in a separate column. There are no governmental fund types for this Authority.

**B. Basis of Accounting**

The government-wide financial statements are reported using the *economic resources measurement focus* and the *full accrual basis* of accounting. Revenues are recorded when earned and expenses are recorded at the time liabilities are incurred, regardless of when related cash flows take place.

As explained in Note 6 for the fiscal year ended June 30, 2002 and for all previous fiscal years the Authority presented its financial activities as Governmental Fund Types on the modified accrual basis of accounting. In order too more fully comply with guidance issued by the U.S. Department of Housing and Urban Development (HUD) effective July 1, 2003 the Authority made a change in accounting principle and begin reflecting its financial activities as an Enterprise Special District and converted to the full accrual basis of accounting.

Revenue from grants and donations are recognized in the fiscal year in which all eligibility requirements have been satisfied.

**C. Budgeting Procedures**

The Authority participates in the budgetary process of the City of Alameda, California. During March of each year, the Executive Director of the Authority must submit estimates of available financing and financing requirements for the Authority to the Authority's Chief Executive officer. The Chief Executive Officer makes any necessary revisions and submits the budget to the Board of Commissioners for approval.

Subsequent revisions to the budget are made in the form of either supplemental appropriations or transfers between budget categories. The Board of Commissioners approves all significant budgetary revisions.

**D. Encumbrances**

Encumbrance accounting is not employed by the Authority.

**HOUSING AUTHORITY OF THE CITY OF ALAMEDA**  
**NOTES TO FINANCIAL STATEMENTS**  
**JUNE 30, 2004**

**Note 2 (continued)**

**E. Grant Restrictions**

The Authority has received grants from the U.S. Department of Housing and Urban Development that provide for community development activities and assistance to individuals.

**F. Fixed Assets**

Fixed assets are valued at historical cost. Contributed general fixed assets are recorded at fair market value at the time received. Interest expense incurred during the development period is capitalized.

Fixed assets include all land and site improvements thereon; all dwelling and nondwelling structures, including fixtures permanently attached thereto or installed in a fixed position; and all items of nonexpendable equipment acquired and held for the projects. It also includes items of expendable equipment paid for from funds provided for the development of the projects.

Maintenance, minor repairs and replacements are recorded as expenses; extraordinary replacements of property resulting in property betterments are charged to the property accounts.

Depreciation is charged to operations using the straight-line method based on the estimated useful life of the related asset. The estimated useful lives of the various asset categories are as follows:

Buildings and improvements	40 years
Equipment and vehicles	5 years

**G. Receivables**

All receivables are reported at their gross value.

**H. Income Taxes**

The Authority is exempt from Federal Income and California Franchise Taxes.

**HOUSING AUTHORITY OF THE CITY OF ALAMEDA**  
**NOTES TO FINANCIAL STATEMENTS**  
**JUNE 30, 2004**

**Note 2 (continued)**

**I. Inventories**

Inventory is valued at the lower of cost or market on a first-in, first-out basis. Inventory consists of expendable maintenance supplies held for consumption. The purchase method is used to account for inventories. Under the purchase method, inventories are recorded as expenditures when purchased; however, material amounts of inventories on hand at the fiscal year end are reported as assets.

**J. Employee Leave Benefits**

Regular full-time employees earn from 10 to 25 vacation days per year, depending upon their length of employment. Each employee also earns 12 sick leave days per year. Unused annual leave may be accumulated not to exceed 10 days in addition to that accrued in the current calendar year. Unused sick leave will be allowed to accumulate. An employee terminating employment shall be paid for any accumulated annual leave at their current hourly rate of pay. Employees terminating employment receive no compensation for unused sick leave.

**K. Grant Restrictions**

The Authority has received loans and grants from the U.S. Department of Housing and Urban Development to build and improve housing projects. The grants require that only individuals and families that meet various income, age and employment standards be housed or aided.

**Note 3 - CASH AND INVESTMENTS**

Cash and investments at June 30, 2004 consisted of the following:

Cash and investments	\$ 1,447,713
Investments with trustees	<u>1,126,235</u>
Total	<u>\$ 2,573,948</u>

The \$1,447,713 of cash and investments reflects an overdraft of \$24,980 maintained on deposit in banks and \$1,472,693 deposited in the State of California Local Agency Investment Fund (LAIF). Of the amounts deposited into banks, \$100,000 is covered by federal deposit insurance. The remaining \$240,492 is required by California law to be collateralized by governmental securities with a market value of 110% of the deposit or with first trust deed mortgages with a value of 150% of the uninsured amount.

**HOUSING AUTHORITY OF THE CITY OF ALAMEDA**  
**NOTES TO FINANCIAL STATEMENTS**  
**JUNE 30, 2004**

**Note 3 (continued)**

The \$1,126,235 of investments with trustees reflects amounts held by trust departments of various Authority lending agencies. These amounts will be used for future rehabilitation and operating costs of the Authority's multifamily projects. Investments are carried at fair value.

Cash and cash equivalents are considered to be liquid assets for purposes of measuring cash flows.

The deposits and investments are classified by investment risk as prescribed by generally accepted accounting principles as follows:

Category 1 - Deposits which are insured by Federal Deposit Insurance.

Category 2 - Deposits which are collateralized.

Category 3 - Deposits which are uninsured or uncollateralized.

Investments maintained in the Local Agency Investment Fund and with the trustee agents are not categorized by level of risk because they are not evidenced by specific identifiable securities.

The following is a summary of the Authority's cash deposits at June 30, 2004:

	Carrying Amounts	Bank Balance Before Reconciling Items	Bank Balance Insured (Category 1)	Bank Balance Collateralized (Category 2)
Cash in bank	\$ (24,980)	\$ 340,492	\$ 100,000	\$ 240,492

**Note 4 - FIXED ASSETS**

The following is a summary of the Authority's changes in fixed assets for the fiscal year ended June 30, 2004:

	Balance 7/1/03	Additions	Deletions	Balance 6/30/04
Land	\$ 7,746,432	\$ -	\$ -	\$ 7,746,432
Buildings & Improvements	29,929,209	-	-	29,929,209
Equipment	200,988	-	-	200,988
	<u>\$ 37,876,629</u>	<u>\$ -</u>	<u>\$ -</u>	<u>37,876,629</u>
Less accumulated Depreciation				<u>(11,267,770)</u>
Fixed assets, net				<u>\$ 26,608,859</u>

**HOUSING AUTHORITY OF THE CITY OF ALAMEDA**  
**NOTES TO FINANCIAL STATEMENTS**  
**JUNE 30, 2004**

**Note 5 - LONG-TERM DEBT**

Following is a summary changes in long-term debt for the year ended June 30, 2004:

	Balance 7/1/03	Additions	Deletions	Balance 6/30/04
Washington Mutual Bank	\$ 2,263,090	\$ -	\$ 126,743	\$ 2,136,347
Reilly Mortgage	1,928,094	-	63,010	1,865,084
Midland Loan Services	9,590,861	-	150,040	9,440,821
Notes Payable - City of Alameda	1,088,600	-	-	1,088,600
Notes Payable - Other	1,541,947	-	27,483	1,514,464
Compensated Absences (Note 6)	139,309	57,454	-	196,763
	<u>\$ 16,551,901</u>	<u>\$ 57,454</u>	<u>\$ 367,276</u>	<u>\$16,242,079</u>

The following is a schedule of debt payment requirements to maturity for long-term obligations other than compensated absences:

Year Ending June 30	Principal	Interest	Total Required Payments
2005	\$ 392,153	\$ 890,923	\$ 1,283,076
2006	418,797	864,279	1,283,076
2007	447,312	835,763	1,283,075
2008	479,020	805,241	1,284,261
2009	511,732	772,565	1,284,297
2010-2014	3,136,325	3,285,657	6,421,982
2015-2019	2,649,672	2,342,895	4,992,567
2020-2024	2,716,442	1,563,529	4,279,971
2025-2028	3,141,233	770,608	3,911,841
2030-2034	1,172,246	54,129	1,226,375
2035-2039	49,406	-	49,406
2040-2044	44,810	-	44,810
2045-2049	38,443	-	38,443
2050-2054	29,974	-	29,974
2055-2059	817,751	1,981,505	2,799,256
	<u>\$ 16,045,316</u>	<u>\$ 14,167,094</u>	<u>\$ 30,212,410</u>



**HOUSING AUTHORITY OF THE CITY OF ALAMEDA**  
**NOTES TO FINANCIAL STATEMENTS**  
**JUNE 30, 2004**

**Note 5 (continued)**

The deed of trust note of \$1,865,04 for the Parrot Village accrues interest at 6.125% and requires annual payments of \$179,356. The deed of trust note of \$2,136,347 for the Eagle Avenue Apartments accrues interest at 8.15% and requires annual payments of \$306,520. The deed of trust note of \$9,440,821 for the Independence Plaza Apartments accrues interest at 5.57% and requires annual payments of \$680,460.

Four other notes are secured by deeds of trust on six properties located throughout the city of Alameda. These notes were issued during the fiscal years ended June 30, 1997 and June 30, 2004. These notes have a balance owing of \$1,514,464 as of June 30, 2004. The notes have interest rates ranging from 5.05% to 6.72% per annum and require annual payments of \$116,742.

Issued during the fiscal year ended June 30, 1997 were two deferred loans from the City of Alameda. These loans were issued for \$518,600 and carry no interest rate. They are secured by deeds of trust on nine properties located in Alameda, California. One of the notes is deferred until January 1, 2007, while the other is deferred until January 1, 2027. Varying semiannual payments are due on each loan from the deferral date through December 31, 2005.

A promissory note agreement for \$570,000 was entered into with the City of Alameda on June 18, 1998. This note bears interest at 3% per annum. Both interest and principal payments on this loan are deferred until the note's due date of June 30, 2057.

The mortgage note payable to Washington Mutual was entered into on September 1, 1983. It is payable in monthly installments of \$25,543, including principal and interest at 8.15%. Final payment is due on August 1, 2023.

The mortgage note payable to Midland Loan Services, Inc. was entered into on August 25, 1998. It is payable in monthly installments of \$56,705, including principal and interest at 5.57%. Final payment is due February 1, 2031.

The mortgage note payable to Reilly Mortgage Associates, L.P. was entered into on January 1, 1981. It is payable in monthly installments of \$14,946, including principal and interest at 6.125%. Final payment is due on September 1, 2020.

**HOUSING AUTHORITY OF THE CITY OF ALAMEDA**  
**NOTES TO FINANCIAL STATEMENTS**  
**JUNE 30, 2004**

**Note 6 - COMPENSATED ABSENCES**

It is the Authority's policy to permit employees to accumulate earned but unused vacation leave up to a maximum of 10 days. This leave will be used in future periods or paid to employees upon separation from the Authority. Accrued vacation leave has been valued by the Authority and has been recorded at \$196,763 as of June 30, 2004.

It is the Authority's policy to permit employees to accumulate earned but unused sick leave, however, the value of unused sick leave is not payable to employees upon separation from the Authority. The cost of vacation is recognized when payments are made to the employees.

**Note 7 - OPERATING LEASE**

The Authority on March 14, 2003 entered into a lease agreement with the Resources for Community Development (RCD) to lease land to RCD until March 14, 2078. Total rental income for the year ended June 30, 2004 under the lease agreement was \$1.

At June 30, 2004, the future rental income required under the lease for the land is as follows:

Fiscal Year Ending	
2005	\$ 1
2006	1
2007	1
2008	1
2009	1
Thereafter	68
	<u>\$ 73</u>

**Note 9 - EMPLOYEES RETIREMENT PLAN**

On July 1, 2000, the employees of the Housing Authority of the City of Alameda officially became employees of the City of Alameda. The individuals continue to work at the Authority as contracted staff. Upon becoming employees of the City of Alameda these employees became entitled to the benefits offered all other employees of the City, including participation in the City's employees' retirement plan. On July 1, 2003 the Board of Commissioners approved the merger of the Authority's previous pension plan with the existing plan of the City of Alameda. This merger became retroactive to July 1, 2000, the date the employees of the Housing Authority became employees of the City of Alameda. The information pertaining to the retirement plan for staff at the Housing Authority of the City of Alameda is included in the financial report for the City of Alameda.

**HOUSING AUTHORITY OF THE CITY OF ALAMEDA**  
**NOTES TO FINANCIAL STATEMENTS**  
**JUNE 30, 2004**

**Note 10 - JOINT POWERS AGREEMENTS**

Workers' Compensation Insurance

The Authority participates in a joint venture under a joint powers agreement (JPA) with the California Housing Workers' Compensation Authority (CHWCA). CHWCA was formed to provide workers' compensation insurance coverage for member housing authorities. As of December 31, 2003, there were 31 members. The relationship between the Authority and CHWCA is such that CHWCA is not a component unit of the Authority for financial reporting purposes.

Condensed audited financial information for the year ended December 31, 2003, is as follows:

Total assets	\$ 13,256,694
Total liabilities	<u>(11,880,011)</u>
Total net assets	<u>\$ (1,376,683)</u>
Total revenues	\$ 7,659,435
Total expenses	<u>(4,221,997)</u>
Net increase in retained earnings	<u>\$ (3,437,438)</u>

CHWCA had no long-term debt outstanding at December 31, 2003. The Authority's share of year ended assets, liabilities, or retained earnings has not been calculated. The Authority contributed \$176,572 to CHWCA during the fiscal year.

Property and Liability Insurance

The Authority participates in a joint venture under a joint powers agreement (JPA) with the Housing Authorities Risk Retention Pool (HARRP). HARRP was formed to provide property and liability insurance coverage for member housing authorities. At December 31, 2003 there were 92 members. The relationship between the Authority and HARRP is such that HARRP is not a component unit of the Authority for financial reporting purposes.

Condensed audited financial information for the year ended December 31, 2003 is as follows:

Total assets	\$ 22,090,110
Total liabilities	<u>(5,137,955)</u>
Total net assets	<u>\$ 16,952,155</u>
Total revenues	\$ 4,432,843
Total expenses	<u>(4,095,371)</u>
Net increase in retained earnings	<u>\$ 337,472</u>

HARRP had no long-term debt outstanding at December 31, 2003. The Authority's share of year end assets, liabilities, or retained earnings has not been calculated. The Authority contributed \$68,504 to HARRP during the fiscal year.

## **SUPPLEMENTAL INFORMATION**

**HOUSING AUTHORITY OF THE CITY OF ALAMEDA  
SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS  
FOR THE YEAR ENDED JUNE 30, 2004**

<u>Federal Grantor</u>	<u>CFDA Number</u>	<u>Expenditures</u>
Department of Housing and <u>Urban Development (HUD)</u>		
Direct Programs:		
Public and Indian Housing	14.850	\$ 67,468
Rent Supplements/Lower Income Families	14.119	169,041
Section 8 Housing Choice Vouchers	14.871	20,025,876 *
N/C S/R Section 8 Programs	14.182	421,233
Public Housing Capital Fund	14.872	<u>238,229</u>
Total direct programs		<u>\$ 20,921,847</u>

\* Major Federal Program

This schedule was prepared on the accrual basis of accounting.

**The accompanying Independent Auditors' Report and notes are an integral part of this statement.**

**HOUSING AUTHORITY OF THE CITY OF ALAMEDA  
STATEMENT OF COMPLETED CAPITAL FUND PROGRAM  
JUNE 30, 2004**

**Capital Fund Project No. CA39P062501-03**

Grant funds approved	\$ 198,641
Grant funds received from HUD	<u>198,641</u>
Grant funds receivable	<u><u>\$ -</u></u>
Grant funds expended	\$ 198,641
Grant funds received from HUD	<u>198,641</u>
Unexpended grant funds	<u><u>\$ -</u></u>

**The accompanying Independent Auditors' Report and notes are an integral part of this statement.**

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**REPORT ON COMPLIANCE AND ON INTERNAL CONTROL  
OVER FINANCIAL REPORTING  
BASED ON AN AUDIT OF BASIC  
FINANCIAL STATEMENTS PERFORMED IN  
ACCORDANCE WITH *GOVERNMENT AUDITING STANDARDS***

To the Board of Commissioners  
Housing Authority of the  
City of Alameda  
Alameda, California

We have audited the financial statements of the business-type activities of the Housing Authority of the City of Alameda, California, as of and for the year ended June 30, 2004, which collectively comprise the Housing Authority of the City of Alameda, California's basic financial statements and have issued our report thereon dated December 21, 2004. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States.

Compliance

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grants, noncompliance which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance that is required to be reported under *Government Auditing Standards*.

Internal Control Over Financial Reporting

In planning and performing our audit, we considered the Housing Authority of the City of Alameda's internal control over financial reporting in order to determine our auditing procedures for the purpose of expressing our opinion on the financial statements and not to provide assurance on the internal control over financial reporting. Our consideration of the internal control over financial reporting would not necessarily disclose all matters in the internal control over financial reporting that might be material weaknesses. A material weakness is a condition in which the design or operation of one or more of the internal control components does not reduce to a relatively low level of risk that misstatements in amounts that would be material in relation to the financial statements being audited may occur and not be detected within a timely period by employees in the normal course of performing their assigned functions. We noted no matters involving the internal control over financial reporting and its operation that we consider to be material weaknesses.

This report is intended solely for the information and use of the Board of Commissioners, management and federal awarding agencies and is not intended to be and should not be used by anyone other than these specified parties.

*Wallace E. Rowy, CPA*

December 21, 2004



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**REPORT ON COMPLIANCE WITH REQUIREMENTS APPLICABLE TO  
EACH MAJOR PROGRAM AND INTERNAL CONTROL OVER COMPLIANCE  
REQUIRED BY OMB CIRCULAR A-133**

To the Board of Commissioners  
Housing Authority of the  
City of Alameda  
Alameda, California

Compliance

We have audited the compliance of the Housing Authority of the City of Alameda, California with the types of compliance requirements described in the U.S. Office of Management and Budget (OMB) Circular A-133 *Compliance Supplement* that is applicable to each of its major federal programs for the year ended June 30, 2004. Housing Authority of the City of Alameda, California's major programs are identified in the summary of auditor's results section of the accompanying schedule of findings and questioned costs. Compliance with the requirements of laws, regulations, contracts and grants applicable to each of its major federal programs are the responsibility of the Housing Authority of the City of Alameda's management. Our responsibility is to express an opinion on the Housing Authority of the City of Alameda, California's compliance based on our audit.

We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and (OMB) Circular A-133, *Audits of States, Local Governments and Non-Profit Organizations*. Those standards and OMB Circular A-133 require that we plan and perform the audit to obtain reasonable assurance about whether material noncompliance with the types of compliance requirements referred to above that could have a direct and material effect on a major federal program occurred. An audit includes examining, on a test basis, evidence about the Housing Authority of the City of Alameda, California's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances. We believe that our audit provides a reasonable basis for our opinion. Our audit does not provide a legal determination on the Housing Authority of the City of Alameda, California's compliance with those requirements.

In our opinion, the Housing Authority of the City of Alameda, California complied, in all material respects, with the requirements referred to above that are applicable to each of its major federal programs for the year ended June 30, 2004.

## Internal Control Over Compliance

The management of the Housing Authority of the City of Alameda, California is responsible for establishing and maintaining effective internal control over compliance with requirements of laws, regulations, contracts and grants applicable to federal programs. In planning and performing our audit, we considered the Housing Authority of the City of Alameda, California's internal control over compliance with requirements that could have a direct and material effect on a major federal program in order to determine our auditing procedures for the purpose of expressing our opinion on compliance and to test and report on internal control over compliance in accordance with OMB Circular A-133.

Our consideration of the internal control structure would not necessarily disclose all matters in the internal control structure that might be material weaknesses. A material weakness is a condition in which the design or operation of one or more of the internal control components does not reduce to a relatively low level the risk that noncompliance with applicable requirements of laws, regulations, contracts and grants that would be material in relation to a major federal program being audited may occur and not be detected within a timely period by employees in the normal course of performing their assigned functions. We noted no matters involving the internal control over compliance and its operation that we consider a material weakness.

This report is intended solely for the information and the use of the Board of Commissioners, management, and federal awarding agencies and is not intended to be and should not be used by anyone other than these specified parties.

*Wallace E. Rowe, CPA*

December 21, 2004

**HOUSING AUTHORITY OF THE CITY OF ALAMEDA  
STATUS OF PRIOR AUDIT FINDINGS  
JUNE 30, 2004**

The previous audit report for the year ended June 30, 2003, contained no audit findings

**HOUSING AUTHORITY OF THE CITY OF ALAMEDA**  
**REPORT ON FINDINGS AND QUESTIONED COSTS**  
**JUNE 30, 2004**

**Section I - Summary of Auditors' Results**

**Financial Statements**

Type of auditors' report issued:	unqualified
Internal control over financial reporting:	
Material weaknesses identified?	no
Reportable conditions identified not considered material weaknesses?	no
Noncompliance material to financial statements?	no

**Federal Awards**

Internal control over major programs:	
Material weaknesses identified?	no
Reportable conditions identified not considered material weaknesses?	No
Type of auditors' report issued on compliance for major programs:	unqualified
Any audit findings disclosed that are required to be reported in accordance with A-133, Section .510(a)?	no
Identification of major programs:	
Section 8 Housing Choice Vouchers	14.871
Dollar threshold to distinguish between Type A and Type B programs	\$ 627,655
Auditee qualified as low risk auditee?	no
<b>Section II - Financial Statement Findings</b>	no
<b>Section III - Federal Award Findings</b>	no

Line Item No.	Account Description	Kent Supplements _Rental Housing for Lower Income Families	N/C S/R Section 8 Programs	Low Rent Public Housing	Housing Choice Vouchers	Public Housing Capital Fund Program	State/Local	Total	Line Item No.	Account Description	Kent Supplement s_Rental Housing for Lower Income Families	N/C S/R Section 8 Programs	Low Rent Public Housing	Housing Choice Vouchers	Public Housing Capital Fund Program	State/Local	Total
111	Cash - Unrestricted	\$50,381	\$87,101	\$376,466	\$26,731	\$0	\$178,168	\$718,867	311	Bank Overdraft	\$0	\$0	\$0	\$179,094	\$0	\$0	\$179,094
112	Modernization and Development	\$0	\$932,160	\$0	\$0	\$0	\$717,119	\$1,649,279	312	Accounts Payable <= 90 Days	\$1,556	\$39,426	\$27,914	\$35,965	\$0	\$62,489	\$167,332
113	Cash - Other Restricted	\$0	\$62,791	\$0	\$0	\$0	\$13,447	\$76,238	322	Accrued Compensated Absences - Current Portion	\$0	\$29,471	\$15,276	\$45,832	\$0	\$29,714	\$120,293
114	Cash - Tenant Security Deposits	\$0	\$143,979	\$37,447	\$0	\$0	\$127,232	\$308,658	331	Accounts Payable - HUD PHA Programs	\$10,253	\$0	\$0	\$0	\$0	\$0	\$10,253
100	Total Cash	\$50,381	\$1,226,031	\$413,933	\$26,731	\$0	\$1,035,968	\$2,753,042	333	Accounts Payable - Other Government	\$0	\$0	\$0	\$0	\$0	\$1,480	\$1,480
122	Accounts Receivable - HUD Other Projects	\$0	\$0	\$0	\$0	\$0	\$0	\$1,185,869	341	Tenant Security Deposits	\$0	\$143,979	\$37,447	\$0	\$0	\$127,232	\$308,658
124	Accounts Receivable - Other Government	\$0	\$924	\$0	\$10,011	\$0	\$96,645	\$97,580	342	Deferred Revenues	\$0	\$28,757	\$8,613	\$0	\$0	\$10,900	\$48,270
125	Accounts Receivable - Miscellaneous	\$0	\$0	\$0	\$5,297	\$0	\$54,762	\$60,059	343	Term Debt - Capital Projects/Mortgage Revenue	\$0	\$225,498	\$0	\$0	\$0	\$166,655	\$392,153
126	Accounts Receivable - Tenants - Dwelling Rents	\$0	\$9,277	\$11,364	\$0	\$0	\$10,674	\$31,315	347	Interprogram Due To	\$0	\$81,097	\$0	\$2,479,692	\$0	\$0	\$2,560,789
126.1	Allowance for Doubtful Accounts - Dwelling Rents	\$0	\$0	\$0	\$0	\$0	\$0	\$0	310	Total Current Liabilities	\$11,809	\$548,230	\$89,250	\$2,740,583	\$0	\$388,364	\$3,778,238
126.2	Allowance for Doubtful Accounts - Other	\$0	\$0	\$0	\$0	\$0	\$0	\$0									
128	Fraud Recovery	\$0	\$0	\$0	\$211,129	\$0	\$0	\$211,129	351	Current - Capital Projects/Mortgage Revenue	\$0	\$11,080,408	\$0	\$0	\$0	\$4,572,755	\$15,653,163
128.1	Allowance for Doubtful Accounts - Fraud	\$0	\$0	\$0	\$0	\$0	\$0	\$0	354	Accrued Compensated Absences - Non Current	\$0	\$18,735	\$9,711	\$29,135	\$0	\$18,868	\$78,470
129	Accrued Interest Receivable	\$0	\$894	\$1,291	\$102	\$0	\$3,330	\$5,617	353	Noncurrent Liabilities - Other	\$0	\$0	\$0	\$0	\$0	\$0	\$0
120	allowances for doubtful accounts	\$0	\$11,095	\$12,655	\$1,201,279	\$0	\$128,225	\$1,353,254	350	Total Noncurrent Liabilities	\$0	\$11,095,143	\$9,711	\$29,135	\$0	\$4,601,730	\$15,739,719
142	Prepaid Expenses and Other Assets	\$0	\$883	\$7,864	\$5,955	\$0	\$8,769	\$23,471	300	Total Liabilities	\$11,809	\$11,647,373	\$98,961	\$2,769,718	\$0	\$4,990,094	\$19,517,955
143	Inventories	\$0	\$0	\$0	\$0	\$0	\$5,578	\$5,578									
143.1	Allowance for Obsolete Inventories	\$0	\$0	\$0	\$0	\$0	\$0	\$0	508	Total Contributed Capital	\$0	\$0	\$0	\$0	\$0	\$0	\$0
144	Interprogram Due From	\$0	\$0	\$402,672	\$0	\$0	\$2,158,117	\$2,560,789									
150	Total Current Assets	\$50,381	\$1,238,009	\$837,124	\$1,233,955	\$0	\$3,336,655	\$6,696,134	508.1	Invested in Capital Assets, Net of Related Debt	\$0	\$534,949	\$5,950,416	\$8,754	\$0	\$4,069,424	\$10,563,543
									511	Total Reserved Fund	\$0	\$0	\$0	\$0	\$0	\$0	\$0
161	Land	\$0	\$2,363,925	\$791,100	\$0	\$0	\$4,591,408	\$7,746,433									
162	Buildings	\$0	\$14,639,611	\$8,044,871	\$0	\$0	\$7,244,726	\$29,929,208	511.1	Restricted Net Assets	\$0	\$984,951	\$0	\$0	\$0	\$720,480	\$1,715,431
163	Furniture, Equipment & Machinery - Dwellings	\$0	\$77,112	\$29,293	\$0	\$0	\$51,941	\$158,346	512.1	Unrestricted Net Assets	\$38,572	(\$98,409)	\$738,163	(\$1,535,753)	\$0	\$2,365,491	\$1,508,064
164	Furniture, Equipment & Machinery - Administration	\$0	\$0	\$0	\$42,642	\$0	\$0	\$42,642	513	Total Equity/Net Assets	\$38,572	\$1,431,491	\$6,688,578	(\$1,526,999)	\$0	\$7,155,395	\$13,787,038
165	Leasehold Improvements	\$0	\$0	\$0	\$0	\$0	\$0	\$0									
166	Accumulated Depreciation	\$0	(\$5,39,793)	(\$2,914,848)	(\$33,888)	\$0	(\$3,079,241)	(\$11,267,770)	600	Total Liabilities and Equity/Net Assets	\$50,381	\$13,078,864	\$6,787,540	\$1,242,719	\$0	\$12,145,489	\$33,304,993
160	Total Fixed Assets, Net of Accumulated Depreciation	\$0	\$11,840,855	\$5,950,416	\$8,754	\$0	\$8,808,834	\$26,608,859									
180	Total Non-Current Assets	\$0	\$11,840,855	\$5,950,416	\$8,754	\$0	\$8,808,834	\$26,608,859									
190	Total Assets	\$50,381	\$13,078,864	\$6,787,540	\$1,242,719	\$0	\$12,145,489	\$33,304,993									

Line Item No.	Account Description	Kent Supplemental Rental Housing for Lower Income Families	N/C S/R Section 8 Programs	Low Rent Public Housing	Housing Choice Vouchers	Public Housing Capital Fund Program	State/Local	Total
703	Net Tenant Rental Revenue	\$0	\$1,441,833	\$554,172	\$0	\$0	\$879,112	\$2,875,117
704	Tenant Revenue - Other	\$0	\$5,625	\$11,433	\$0	\$0	\$3,246	\$20,304
705	Total Tenant Revenue	\$0	\$1,447,458	\$565,605	\$0	\$0	\$882,358	\$2,895,421
706	HUD PHA Operating Grants	\$169,041	\$421,233	\$67,468	\$20,025,876	\$238,229	\$0	\$20,921,847
708	Other Government Grants	\$0	\$416,151	\$0	\$0	\$0	\$2,082,343	\$2,498,494
711	Investment Income - Unrestricted	\$0	\$566	\$5,437	\$1,075	\$0	\$25,468	\$32,546
714	Field Recovery	\$0	\$0	\$0	\$14,037	\$0	\$0	\$14,037
715	Other Revenue	\$0	\$12,280	\$22,973	\$24,576	\$0	\$87,687	\$147,516
720	Investment Income - Restricted	\$0	\$5,436	\$0	\$0	\$0	\$2,000	\$7,436
700	Total Revenue	\$169,041	\$2,303,124	\$661,483	\$20,065,564	\$238,229	\$3,079,856	\$26,517,297
911	Administrative Salaries	\$0	\$264,117	\$126,404	\$805,508	\$0	\$270,787	\$1,466,816
912	Auditing Fees	\$0	\$3,185	\$1,470	\$17,150	\$0	\$2,695	\$24,500
913	Outside Management Fees	\$0	\$0	\$0	\$0	\$0	\$1,884	\$1,884
914	Compensated Absences	\$0	\$14,076	\$7,296	\$21,890	\$0	\$14,192	\$57,454
915	Contributions - Administrative	\$0	\$73,510	\$40,053	\$218,396	\$0	\$83,582	\$415,541
916	Other Operating - Administrative	\$0	\$85,759	\$36,238	\$270,296	\$12,735	\$120,220	\$525,248
921	Tenant Services - Salaries	\$0	\$39,516	\$33,499	\$52,411	\$0	\$33,759	\$159,185
923	Contributions - Tenant Services	\$0	\$11,007	\$7,113	\$14,116	\$0	\$9,938	\$42,174
924	Tenant Services - Other	\$0	\$230	\$11,785	\$1,807	\$0	\$4,829	\$18,651
931	Water	\$0	\$60,144	\$38,020	\$796	\$0	\$34,160	\$133,120
932	Electricity	\$0	\$50,160	\$12,904	\$7,769	\$0	\$47,245	\$118,078
933	Gas	\$0	\$14,358	\$1,636	\$1,150	\$0	\$31,068	\$48,212
938	Other Utilities Expense	\$0	\$50,817	\$47,266	\$123	\$0	\$42,630	\$140,836
941	Operations - Labor	\$0	\$299,487	\$132,279	\$11,619	\$0	\$291,694	\$735,079
942	Operations - Materials and Other	\$0	\$52,811	\$3,046	\$5,250	\$37,981	\$57,526	\$166,614
943	Ordinary Maintenance and Operations - Contract Costs	\$0	\$310,375	\$89,133	\$7,579	\$121,157	\$285,038	\$813,282
945	Contributions - Ordinary Maintenance	\$0	\$83,125	\$41,788	\$3,160	\$0	\$86,032	\$214,105
952	PROTECTIVE SERVICES - Other Contract Costs	\$0	\$41,484	\$0	\$18,020	\$66,356	\$44,140	\$170,000
961	Insurance Premiums	\$0	\$76,296	\$4,435	\$4,055	\$0	\$4,852	\$89,638
962	Other General Expenses	\$0	\$0	\$0	\$80,114	\$0	\$20,604	\$100,718
964	Bad Debt - Tenant Rents	\$0	\$776	\$1,881	\$0	\$0	\$4,618	\$7,275
967	Interest Expense	\$0	\$646,765	\$0	\$0	\$0	\$269,035	\$915,800
969	Total Operating Expenses	\$0	\$2,187,998	\$636,246	\$1,541,209	\$238,229	\$1,760,528	\$6,364,210
970	EXCESS OPERATING REVENUE over Operating Expenses	\$169,041	\$115,126	\$25,237	\$18,524,355	\$0	\$1,319,328	\$20,153,097
971	Extraordinary Maintenance Payments	\$0	\$80,953	\$66,026	\$0	\$0	\$133,970	\$280,949
973	Depreciation Expense	\$150,231	\$0	\$0	\$20,674,103	\$0	\$536,615	\$21,360,949
974	Total Expenses	\$150,231	\$2,614,848	\$908,784	\$22,221,453	\$238,229	\$2,621,576	\$28,755,122
1010	Operating Revenue Over (Under) Expenses	\$18,810	(\$311,725)	(\$247,301)	(\$2,155,889)	\$0	\$458,280	(\$2,237,825)
1102	Enterprise Funds	\$0	\$213,048	\$0	\$0	\$0	\$154,227	\$367,275
1103	Beginning Equity	\$18,772	\$1,747,479	\$6,935,880	\$628,890	\$0	\$6,687,646	\$16,018,667
1104	Equity Transfers and Correction of Errors	\$990	(\$4,263)	\$0	\$0	\$0	\$9,468	\$6,196
1113	Contributions Commitment (Per ACC)	\$0	\$0	\$0	\$20,025,876	\$0	\$0	\$20,025,876
1114	Contributions Applicable to a Period of less than Twelve Months	\$0	\$0	\$0	\$0	\$0	\$0	\$0
1115	Contingency Reserve, ACC Program Reserve	\$0	\$0	\$0	\$0	\$0	\$0	\$0
1116	Total Annual Contributions Available	\$0	\$0	\$0	\$20,025,876	\$0	\$0	\$20,025,876
1120	Unit Months Available	360	2,520	1,428	19,500	0	2,424	26,532
1121	NUMBER OF UNIT MONTHS LEASED	324	2,798	1,410	19,500	0	2,383	26,395

**UNAPPROVED MINUTES**  
MINUTES OF THE ANNUAL ALAMEDA PUBLIC  
IMPROVEMENT CORPORATION MEETING  
TUESDAY- -FEBRUARY 3, 2004- -7:29 P.M.

Chair Johnson convened the Annual Meeting at 7:47 p.m.

ROLL CALL - Present: Board Members Daysog, Gilmore, Kerr,  
Matarrese and Chair Johnson - 5.

Absent: None.

MINUTES

(04- ) Minutes of the Annual Alameda Public Improvement Corporation Meeting of February 5, 2002.

Board Member Daysog moved approval of the minutes.

Board Member Kerr seconded the motioned, which carried by the following voice vote: Ayes: Board Members Daysog, Kerr and Chair Johnson -3. Abstentions: Board Members Gilmore and Matarrese - 2.

(04- ) Minutes of the Annual Alameda Public Improvement Corporation Meeting February 4, 2003.

Board Member Daysog moved the approval of the minutes.

Board Member Matarrese seconded the motion, which carried by the following voice vote: Ayes: Board Members Daysog, Kerr, Matarrese and Chair Johnson - 4. Abstention: Board Member Gilmore - 1.

ORAL COMMUNICATIONS

None.

BOARD COMMUNICATIONS

None.

ADJOURNMENT

There being no further business Chair Johnson adjourned the Annual Meeting at 7:48 p.m.

Respectfully submitted,

Lara Weisiger, Secretary  
Alameda Public Improvement  
Corporation

The agenda for this meeting was posted in accordance with the Brown Act.

Annual Meeting  
Alameda Public Improvement Corporation  
February 3, 2004

**CITY OF ALAMEDA**  
**MEMORANDUM**

Date: January 24, 2005

To: Honorable Mayor and  
Councilmembers

From: William C. Norton  
Acting City Manager

Re: Recommendation to Accept the Quarterly Financial Report and Approve Mid-year  
Budget Adjustments

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**BACKGROUND**

The City Council adopted a 2-year spending plan for 2004-2006 and annually appropriates funds consistent with the charter and government code requirements. The total adjusted 2004-05 budget for all City funds is \$194,446,794. The attached exhibits provide the details for the General Fund and all fund categories recommended mid-year adjustments. The final exhibit is a Summary Analysis of Funds, which provides a "snapshot" as of December 31, 2004, concluding with the Estimated Fund Balance as of June 30, 2005.

The Community Improvement Commission and the Alameda Reuse and Redevelopment Authority annually adopt programmatic plans, authorize projects and adopt budgets reflecting those actions. This single report is intended to accurately reflect the actions of all three entities and recommend adoption of amendments to the estimated revenues and appropriations.

**DISCUSSION/ANALYSIS**

***General Fund Revenues:***

Our General Fund revenues for the period ending December 31, 2004 totaled \$30,597,168 representing 45% of our updated revenue projections of \$67,996,248. The main sources of local tax revenues include the property tax (22.24%), the local component of the sales and use tax (7.5%), Utility Users Tax (11.61%), and a variety of "all other levies" (15.7%). The latter includes property transfer tax, franchise fees and payment in lieu of taxes, etc. The details of the adjustments to the revenue estimates can be found on the Summary of Adjustments, pages 8-9. General Fund revenue detail can be found in Exhibit B on pages 2-4 of the attachment.

The City received 43.7% of its estimated property tax allocation from the Alameda County Treasurer in December 2004. The next allocation is scheduled for April with clean up payments scheduled for June, July, and August. This is net of the "triple flip" reductions, which are taken in lieu of the ERAF (Educational Revenue Augmentation Fund) shift of years past. Over the last 14 years a total of \$41 million from our local share has been shifted to the ERAF.



Over the last 14 years a total of \$41 million from our local share has been shifted to the ERAF. However, it needs to be noted that the ERAF shift continues for the redevelopment funds. The Tax Increment Funds are due to pay \$711,000 to the ERAF this fiscal year and next.

Certain revenue sources may appear below projected annual estimates. There is a 30-60 day lag in receipt of several major revenues. These revenue sources include sales tax, utility user tax, vehicle-in-lieu subventions, and franchise fee payments from Waste Management, Inc. These revenues are only accrued at year-end and recorded on a cash basis during the fiscal year. The cable television providers make franchise fee payments quarterly while PG&E remits a franchise fee for gas on an annual basis (approximately April 15).

Sales tax payments received in July and August are accrued for the prior year as these payments represent taxes paid or generated in Alameda for sales transactions in April, May and June of the prior fiscal year. There will be a separate report analyzing the sales tax revenues.

Transfers from Alameda Power & Telecom are remitted to the City's General Fund in 10 equal monthly installments.

#### ***General Fund Appropriations:***

General Fund adjustments reflect an increase of \$1,307,743 in required appropriations for the second quarter. The majority of this amount (\$1,073,163) is the movement from the Capital Improvement Fund to the General Fund, Public Works, Annual Maintenance division, as requested by the Council during the budget hearings. (Offsetting transfers from other funds of \$922,164 also appear in the revenue adjustments.) The details of the required appropriations can be found at the Summary of Adjustments, pages 8-9, of the attachment.

#### ***General Fund Expenditures:***

Our General Fund operating expenditures for the six months ending December 31, 2004 were \$31,439,534, representing 43.50% of our operating budget of \$72,408,361. Non-departmental expenditures totaled \$121,547 and included expenditures for property tax collection, rent subsidies for the Alameda Historical Museum, and transfers to Social Services Human Relations Board.

In addition, we transferred out of General Fund to other funds as follows: Library operations (\$578,869), Urban Runoff (\$32,500), Capital Improvement (\$254,624), Debt Service – City Hall, Jail & Library (\$486,924), and Risk Management (\$600,000). Capital outlay purchases funded by General Fund amounted to \$88,051. General Fund expenditures by departments can be found on pages 5-7 of Exhibit B.

If all the assumptions prove accurate with respect to General Fund revenues and appropriations, current expenditures will exceed current revenues by \$4,856,822 at year-end. This is the result of several factors. The largest of these factors is the recognition of depreciation expense and the resulting revenue to the Equipment Replacement sub-fund. This is a requirement of GASB 34 (the recognition by the General Fund of assets owned by the City and their accompanying "cost of ownership" or depreciation). The second largest item was the inclusion in the proposed budget of the fees which were later set aside by the Council (\$1.4 million in 911 Fees) and increases to the Payment in Lieu of Taxes rates (\$625,000) which were adopted after December 31, 2004, the date of this report.

Appropriations, likewise, have increased. The single largest increase is the increase in appropriations to reflect the Public Works, Annual Maintenance division, in accord with the Council's request to move this annual maintenance work from the Capital Improvement Fund to the General Fund. For those projects funded by special revenues there is an offsetting transfer in as well.

New efforts have been undertaken to resolve this deficit. They will be reported at a later date and reflected in the next quarterly update.

A summary table of General Fund revenues and appropriations follows:

<b>General Fund</b>	<b>Original Adopted</b>	<b>Amendments 1<sup>st</sup> Qtr.</b>	<b>Amendments 2<sup>nd</sup> Qtr.</b>	<b>NET Amendments</b>	<b>Amended 12/31/04</b>
<b>Revenues</b>	\$ 67,508,484	\$ (740,459)	\$ 1,228,223	\$ 487,764	\$ 67,996,248
<b>Appropriations</b>	\$ 69,067,768	\$ 2,477,561	\$ 1,307,741	\$ 3,785,302	\$72,853,070
<b>Balance</b>	\$(1,559,284)	\$ (3,218,020)	\$ (79,815)	\$ (3,297,835)	\$(4,856,822)

### ***Special Revenue and Enterprise Funds:***

The summary of revenues and expenditures for special revenue funds and enterprise funds are also included herein as Exhibit C, pages 13-17 of the attachment. Second quarter adjustments to these funds reflect rebudgeting or prior year's budgeted amounts for capital improvement projects as well as capturing previously authorized Council, CIC or ARRA actions. The details are found in the Summary of Adjustments found on page 10-11 of the attachment.

Exhibit C, pages 13-17, details all funds. This represents a "snapshot" as of December 31, 2004. The Estimated Fund Balance as of June 30, 2005 is the calculated results of Audited Fund Balance, June 30, 2004, plus estimated revenues less appropriations. It does not account for actual revenues or expenses. Of particular note, funds 204 and 205 are forecasted to have negative fund balances. These redevelopment funds will have deficits until the tax increment revenue is received or bond funds are drawn down in support of the projects. The Library Fund (210) is always adjusted before year end close with a transfer in from General Fund in order to close the year with a zero balance. Funds 211 (Gas Tax) and 213 (Traffic Safety) will be adjusted before year-end by reducing the transfers to match actual revenues. The Narcotics Asset Seizure Fund (219) is awaiting the disbursement of funds from seized assets. Future expenditures are curtailed until the fund is brought into balance. The FISC funds (256 and 256.1) actual results will significantly reduce these deficits. Fund 275 (a maintenance assessment district) will be corrected by year-end.

The Internal Service Funds reflect the provision of services to the operating departments of the City. Fund 711 (Workers' Compensation Self Insurance) balance includes the long-term future liabilities. To the extent that these liabilities will not all mature in any one fiscal year, they have not historically been funded via charges to the operating departments. Staff continues to monitor this fund in conjunction with the actuary. There is sufficient cash to meet the obligations to the State as self-insured for purposes of workers' compensation. Staff is continuing to understand the impacts of recent statutory and regulatory changes and their impacts.

The Dental Self Insurance Fund (713) will continue to have a small deficit but will be resolved by June 2006.

#### BUDGET/FISCAL IMPACT

We project that current expenditures will exceed General Fund current revenues by year-end. The Summary Analysis for all funds can be found on Exhibit D, pages 18-23. The projected General Fund balance for June 30, 2005 is \$13,388,907 and is 18.4% of the operating budget for 2004-05. It is anticipated that further reductions will be made before March 1, 2005, to bring revenues and expenditures into alignment.

RECOMMENDATION

The Interim City Manager recommends that the City Council, Community Improvement Commission and Alameda Reuse and Redevelopment Authority, jointly accept the report on the results of operations for the quarter ending December 31, 2004 for all funds and approve the supplemental appropriations as outlined herein.

Respectfully submitted,

William C. Norton  
Interim City Manager

By:

  
Juelle-Ann Boyer  
Chief Financial Officer

Attachments:

Exhibit A: Recapitulation of Receipts and Disbursements (NOTE: should include Summary of Adjustments for GF as well)

Exhibit B: General Fund Revenues and General Fund Appropriations

Exhibit C: Special Funds Revenues, Expenditures and Summary of Adjustments

Exhibit D: Summary Analysis of Funds as of December 31, 2004

GENERAL FUND  
RECAPITULATION OF RECEIPTS AND DISBURSEMENTS  
PERIOD ENDING DECEMBER 31, 2004

EXHIBIT A

	2004-05 Actual	Actual vs Budgeted	2004-05 Amended Budgeted	Qtr 2 Amendments	Qtr 1 Amendments	2004-05 Adopted
AUDITED FUND BALANCE - July 1, 2004	* \$18,245,729		\$18,245,729	\$ (332,647)	\$ 1,829,763	\$ 16,748,613
Property Taxes	\$8,511,440		\$15,123,620		\$ 259,620	\$ 14,864,000
Other Local Taxes	9,155,491		23,709,627	200,000	(2,026,840)	25,536,467
Licenses and Permits	1,863,767		3,158,252			3,158,252
Use of Money and Property	1,228,317		1,798,200			1,798,200
Fines and Forfeitures	297,069		881,500			881,500
Revenue from Other Agencies	2,684,635		4,844,586		23,886	4,820,700
Current Services	2,635,188		6,017,166	26,059	(500,000)	6,491,107
Contributions from other funds	3,771,629		\$10,960,422	1,002,164		9,958,258
Equipmt Replmt/Depreciation	449,632		\$1,502,875		1,502,875	
	<u>\$30,597,168</u>	<u>45.00%</u>	<u>\$67,996,248</u>	<u>\$ 1,228,223</u>	<u>\$ (740,459)</u>	<u>\$ 67,508,484</u>
City Administration	\$3,080,120		\$ 6,240,101	\$ 125,521	\$ 40,660	\$ 6,073,920
Public Safety	19,916,492		43,394,129	71,570	(404,969)	43,727,528
Planning/Building	1,431,302		2,960,163	239,059	-	2,721,104
Public Works	2,614,138		7,009,057	900,303	(57,000)	6,165,754
Recreation Services	1,828,529		3,720,391	(70,200)	28,400	3,762,191
Depreciation	406,438		1,502,875	0	1,502,875	
Equipment Replacement	249,011		444,709	(26,600)	471,309	0
Capital Outlay	88,051		138,769	(117,600)	256,369	0
Transfers	1,465,993		6,105,065	27,077	639,917	5,438,071
Debt Service	486,924		973,848	0		973,848
Non-Departmental	121,547		363,962	158,610		205,352
	<u>\$31,688,545</u>	<u>43.50%</u>	<u>\$ 72,853,070</u>	<u>\$ 1,307,741</u>	<u>\$ 2,477,561</u>	<u>\$ 69,067,768</u>
CURRENT YEAR BALANCE OF REVENUES VS. EXPENDITURES				\$ (79,518)	\$ (3,218,020)	\$ (1,559,284)
ESTIMATED FUND BALANCE - JUNE 30, 2005						
* Accrued Vacation	\$ 2,453,743					
Post Employment Health	1,044,000					
Total	<u>\$ 3,497,743</u>		<u>\$13,388,907</u>	<u>\$ (412,165)</u>	<u>\$ (1,388,257)</u>	<u>\$ 15,189,329</u>

## GENERAL FUND REVENUES

## EXHIBIT B

ACCT NO.	D E S C R I P T I O N	PERCENT OF TOTAL	ORIGINAL EST. 2004-05	1st Qtr Adjustments	2nd Qtr Adjustments	REVISED EST. 2004-05	ACTUAL 31-Dec-04	BALANCE TO COLLECT	PERCENT COLLECTED
<b>PROPERTY TAXES (3100)</b>									
31100	Secured		\$13,182,000			\$13,182,000	\$8,379,229	\$4,802,771	63.57%
31200	Unsecured		1,250,000			1,250,000	(8,536)	1,258,536	(0.68%)
31400	Prior Secured		75,000			75,000	(38,102)	113,102	(50.80%)
31500	Prior Unsecured		67,000			67,000	25,240	41,760	\$37.67%
31700	Homeowner's Exemptions		290,000			290,000	0	290,000	\$0.00%
31900	Net effect of Triple Flip		0	259,620		259,620	(495,370)	754,990	(190.81%)
31901	Property Tax Triple Flip					0	648,980	(648,980)	0.00%
	<b>SUB TOTAL - PROPERTY TAXES</b>	<b>22.74%</b>	<b>\$14,864,000</b>	<b>\$259,620</b>	<b>\$0</b>	<b>\$15,123,620</b>	<b>\$8,511,440</b>	<b>\$6,612,180</b>	<b>(56.28%)</b>
<b>OTHER LOCAL TAXES (3200)</b>									
32100	Sales Tax		\$5,100,000			\$5,100,000	\$2,283,493	\$2,816,507	44.77%
32110	Sales Tax (Prop 172)		2,050,000			2,050,000	125,304	1,924,696	6.11%
32200	Property Transfer Tax		3,600,000			3,600,000	1,588,132	2,011,868	44.11%
32300	Utility Users Tax		7,900,000			7,900,000	3,251,716	4,648,284	41.16%
32400	Transient Occupancy Tax		650,000			650,000	306,991	343,009	47.23%
32500	PG&E Franchise Fees		200,000			200,000	0	200,000	0.00%
32510	Garbage Franchise		1,580,993		200,000	1,780,993	555,045	1,225,948	31.16%
32520	Cable Franchise Fees		453,634			453,634	(5,741)	459,375	(1.27%)
32550	Taxi Franchise Fees		15,000			15,000	0	15,000	0.00%
32560	ATS Franchise Fee		500,000			500,000	67,118	432,882	13.42%
32600	Housing Authority in Lieu		190,000			190,000	95,000	95,000	50.00%
32610	Payment in Lieu of Taxes		1,270,000			1,270,000	633,444	636,556	49.88%
32550	Other Taxes		0			0	254,989	(254,989)	0.00%
	<b>SUB TOTAL - OTHER TAXES</b>	<b>35.66%</b>	<b>\$23,509,627</b>	<b>\$0</b>	<b>\$200,000</b>	<b>\$23,709,627</b>	<b>\$9,155,491</b>	<b>\$14,554,136</b>	<b>38.62%</b>
<b>LICENSES &amp; PERMITS (3300)</b>									
33063	Permit Tracking Fee		\$90,000			\$90,000	\$67,690	\$22,310	75.21%
33064	Community Planning Fee		200,000			200,000	60,487	139,513	30.24%
33100	Business Licenses		1,465,300			1,465,300	879,465	585,835	60.02%
33150	Taxi Permit		3,000			3,000	550	2,450	18.33%
33200	Bicycle Licenses		500			500	176	324	35.20%
33400	Building Permits		1,050,000			1,050,000	598,339	451,661	56.98%
33410	Encroachment Permit Fees		16,090			16,090	(8,804)	24,894	(54.72%)
33500	Electrical Permits		160,000			160,000	105,431	54,569	65.89%
33600	Plumbing Permits		165,000			165,000	159,834	5,166	96.87%
33700	Concrete Permits		5,000			5,000	0	5,000	0.00%
33900	Miscellaneous Permits		3,362			3,362	600	2,762	17.85%
	<b>SUB TOTAL - LICENSES &amp; PERMITS</b>	<b>4.75%</b>	<b>\$3,158,252</b>	<b>\$0</b>	<b>\$0</b>	<b>\$3,158,252</b>	<b>\$1,863,767</b>	<b>\$1,294,485</b>	<b>59.01%</b>
<b>USE OF MONEY &amp; PROPERTY (3500)</b>									
35100	Interest Income		\$1,700,000			\$1,700,000	\$1,177,578	\$522,422	69.27%
35300	Rental Income		97,200			97,200	50,738	46,462	52.20%
35400	Concessions Income		1,000			1,000	0	1,000	0.00%
	<b>SUB TOTAL - USE OF MONEY</b>	<b>2.70%</b>	<b>\$1,798,200</b>	<b>\$0</b>	<b>\$0</b>	<b>\$1,798,200</b>	<b>\$1,228,317</b>	<b>\$569,883</b>	<b>68.31%</b>

## GENERAL FUND REVENUES

## EXHIBIT B

ACCT NO. D E S C R I P T I O N	PERCENT OF TOTAL	ORIGINAL EST. 2004-05	1st Qtr Adjustments	2nd Qtr Adjustments	REVISED EST. 2004-05	ACTUAL 31-Dec-04	BALANCE TO COLLECT	PERCENT COLLECTED
<b>FINES AND FORFEITURES (3400)</b>								
34100 Ordinance Violations		\$681,000			\$681,000	\$221,769	\$459,231	32.57%
34410 Permit Penalties		100,000			100,000	48,789	51,211	48.79%
34910 Enforcement & Appeal		500			500	95	405	19.00%
34950 Traffic School Fees		100,000			100,000	26,417	73,583	26.42%
<b>SUB TOTAL - FINES &amp; FORFEITS</b>	1.33%	<b>\$881,500</b>	<b>\$0</b>	<b>\$0</b>	<b>\$881,500</b>	<b>\$297,069</b>	<b>\$584,431</b>	<b>33.70%</b>
<b>REVENUE FROM OTHER AGENCIES</b>								
36220 State Highway Maintenance		\$49,200			\$49,200	\$24,612	\$24,588	50.02%
36226 Misc State Reimbursements		100,000			100,000	0	100,000	0.00%
36227 Booking Fees Reimbursement		200,000			200,000	200,954	(954)	100.48%
36310 County Grant		0	23,886		23,886	11,944	11,942	50.00%
36320 County Reimbursement - ALS		265,000			265,000	0	265,000	0.00%
36490 Post Reimbursements		80,000			80,000	1,376	78,624	1.72%
36800 Motor Vehicle in Lieu		4,000,000			4,000,000	2,303,469	1,696,531	57.59%
36930 Park Fund Contribution		102,000			102,000	49,114	52,886	48.15%
36990 Other Contrib/Donation		24500			24,500	93,166	(68,666)	380.27%
<b>SUB TOTAL - REVENUES FROM OTHERS</b>	7.29%	<b>\$4,820,700</b>	<b>\$23,886</b>	<b>\$0</b>	<b>\$4,844,586</b>	<b>\$2,684,635</b>	<b>\$2,159,951</b>	<b>55.42%</b>
<b>CURRENT SERVICES (3700 &amp; 3900)</b>								
39900 General Administration		\$600,000			\$600,000	\$217,998	\$382,002	36.33%
37900 Annual Maintenance Revenue		\$0		26,059	26,059	0	26,059	0.00%
37080 Engineer Service Fees		2,183,496	(500,000)		1,683,496	664,940	1,018,556	39.50%
37160 Plan Check Fees		84,000			84,000	25,614	58,386	30.49%
39900 City Attorney		105,000			105,000	73,397	31,603	69.90%
37900 Other Current Services		35,000			35,000	39,219	(4,219)	112.05%
39900 Police		199,675			199,675	124,910	74,765	62.56%
39900 Planning		426,600			426,600	100,227	326,373	23.49%
39900 Recreation		150,000			150,000	8,110	141,890	5.41%
39900 Public Works		55,400			55,400	32,483	22,917	58.63%
37460 Fire - Ambulance Fees		1,418,000			1,418,000	644,327	773,673	45.44%
39900 Development/Building Services		883,936			883,936	588,513	295,423	66.58%
37510 Golf Surcharge		350,000			350,000	115,451	234,549	32.99%
<b>SUB TOTAL - CURRENT SERVICES</b>	9.05%	<b>\$6,491,107</b>	<b>(\$500,000)</b>	<b>\$26,059</b>	<b>\$6,017,166</b>	<b>\$2,635,188</b>	<b>\$3,381,978</b>	<b>43.79%</b>

## GENERAL FUND REVENUES

## EXHIBIT B

ACCT NO. DESCRIPTION	PERCENT OF TOTAL	ORIGINAL EST. 2004-05	1st Qtr Adjustments	2nd Qtr Adjustments	REVISED EST. 2004-05	ACTUAL 31-Dec-04	BALANCE TO COLLECT	PERCENT COLLECTED
<b>CONTRIBUTIONS FR OTHER FUNDS</b>								
38164 Trsf from CIT		\$0		\$ 336,894	\$ 336,894	-	\$ 336,894	0.00%
38201 Trsf from CIC-WECIP		153,867			153,867	76,934	76,934	50.00%
38202 Trsf from Low/Mod-WECIP		40,768			40,768	20,384	20,384	50.00%
38203 Trsf from CIC-BWIP		494,685			494,685	247,343	247,343	50.00%
38204 Trsf from Low/Mod BMP		58,782			58,782	29,391	29,391	50.00%
38205 Trf from CIC-Alameda Point		299,284			299,284	149,642	149,642	50.00%
38206 Trsf from Low/Mod APIp		7,367			7,367	3,684	3,684	50.00%
38210 Trsf from Library				80,000	80,000	40,000	40,000	50.00%
38211 Trsf from Gas Tax		1,272,149		98,669	1,370,818	636,075	734,744	46.40%
38213 Trsf from Traffic Safety		250,000			250,000	125,000	125,000	50.00%
38216 Trsf from Tidelands		64,248		54,207	118,455	32,124	86,331	27.12%
38221 Trsf from DUT		0		17,598	17,598	0	17,598	0.00%
38224 Trsf from Parking Meters		110,628		47,001	157,629	55,314	102,315	35.09%
38227 Trsf from Comm'l Revtl		3,885			3,885	1,943	1,943	50.00%
38236 Trsf from CDBG		10,000			10,000	0	10,000	0.00%
38256 Trsf from FISC Revenue		53,909			53,909	26,955	26,955	50.00%
38266 Trsf from Affordable Housing		122,952			122,952	61,476	61,476	50.00%
38270 Trsf from Garbage Surcharge		41,830		169,735	211,565	20,915	190,650	9.89%
38273 Trsf from Curbside Recycling		19,356			19,356	9,678	9,678	50.00%
38274 Trsf from Waste Reduction		117,220			117,220	58,610	58,610	50.00%
38280 Trsf from Athletic Trust		59,352			59,352	29,676	29,676	50.00%
38310 Trsf from CIP		75,000			75,000	0	75,000	0.00%
38328 Trsf from 2003 AP Bond					0	45,000	(45,000)	0.00%
38351 Trsf from Urban Runoff		320,506		168,060	488,566	160,253	328,313	32.80%
32530 Trsf from AP & T		2,500,000			2,500,000	1,250,000	1,250,000	50.00%
38601 Trsf from Golf Course		312,321		30,000	342,321	156,160	186,161	45.62%
38602 Trsf from Sewer Service		357,405			357,405	178,703	178,703	50.00%
38858 ARRA		3,212,744			3,212,744	356,372	2,856,372	11.09%
<b>SUB TOTAL - CONTRIBUTIONS</b>	<b>16.48%</b>	<b>\$9,958,258</b>	<b>\$0</b>	<b>\$1,002,164</b>	<b>\$10,960,422</b>	<b>\$3,771,629</b>	<b>\$7,188,793</b>	<b>34.41%</b>
<b>TOTAL - GENERAL FUND</b>	<b>100.00%</b>	<b>\$65,481,644</b>	<b>(\$216,494)</b>	<b>\$1,228,223</b>	<b>\$66,493,373</b>	<b>\$30,147,536</b>	<b>\$36,345,836</b>	<b>45.34%</b>
<b>Fund 119 Equipment Replacement Depreciation</b>		<b>\$ 950,000</b>	<b>\$ 552,875</b>		<b>\$ 1,502,875</b>	<b>\$ 449,632</b>	<b>\$ 1,053,243</b>	<b>29.92%</b>
<b>GRAND TOTAL - GENERAL FUND</b>		<b>\$66,431,644</b>	<b>\$336,381</b>	<b>\$1,228,223</b>	<b>\$67,996,248</b>	<b>\$30,597,168</b>	<b>\$37,399,079</b>	<b>45.00%</b>



EXHIBIT B

GENERAL FUND City Administration	ORIGINAL APPROPRIATIONS 2004-05		First Qtr Adjustments	Second Qtr Adjustments	Adjusted Appropriations	EXPENDITURES Dec 31 2004		BALANCE Dec 31 2004	PERCENT EXPENDED
1210 City Council	\$126,396			\$ 5,596.00	\$131,992	\$46,159		\$85,833	34.97%
2110 City Manager	970,816			132,000	1,102,816	451,191		651,625	40.91%
2220 City Clerk	343,460			30,720	374,180	177,236		196,944	47.37%
2310 City Attorney	901,997				951,997	465,701		486,296	48.92%
2410 Finance	1,887,470		50,000		1,887,470	948,631		938,839	50.26%
2510 Human Resources	1,037,024			(42,795)	994,229	601,722		392,507	60.52%
2610 Information Technology	797,417				797,417	389,481		407,936	48.84%
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GENERAL GOVT SUB TOTAL:	\$6,064,580		\$50,000	\$125,521	\$6,240,101	\$3,080,120		\$3,159,981	49.36%
<hr/>									
<u>Public Safety</u>									
<u>Police Services</u>									
3110 Bureau of Services	\$5,230,185			(\$13,830)	\$5,216,355	\$2,477,132		\$2,739,223	47.49%
3120 Bureau of Operations	14,793,777			85,400	14,879,177	7,117,801		7,761,376	47.84%
3130 Animal Shelter	307,423				307,423	143,455		163,968	46.66%
3190 Crossing Guards	181,344				181,344	72,097		109,247	39.76%
<hr/>									
Fire Services	\$20,512,729		\$0	\$71,570	\$20,584,299	\$9,810,485		\$10,773,814	47.66%
<hr/>									
3210 Emergency Services	\$9,473,030				\$9,473,030	\$4,772,821		\$4,700,209	50.38%
3220 Preventive Services	1,398,662				1,398,662	589,543		809,119	42.15%
3230 Advanced Life Support	6,238,138				6,238,138	2,574,528		3,663,610	41.27%
<hr/>									
Police / Fire Pension	\$17,109,830		\$0	\$0	\$17,109,830	\$7,936,892		\$9,172,938	46.39%
<hr/>									
PUBLIC SAFETY SUB TOTAL:	\$5,700,000		\$0	\$0	\$5,700,000	\$2,169,114		\$3,530,886	38.05%
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PUBLIC SAFETY SUB TOTAL:	\$43,322,559		\$0	\$71,570	\$43,394,129	\$19,916,492		\$23,477,638	45.90%
<hr/>									
<u>Planning</u>									
4110 Development Review	\$563,289			\$180,500	\$743,789	\$332,559		\$411,230	44.71%
4120 Policy Dev. & Environ. Review	387,532			(3,350)	384,182	154,651		229,531	40.25%
4600 Plannig Annuam Maintenance	0			26,059	26,059	0		26,059	0.00%
<hr/>									
	\$950,821		\$0	\$203,209	\$1,154,030	\$487,210		\$666,820	42.22%

EXHIBIT B

ORIGINAL		First Qtr Adjustments	Second Qtr Adjustments	Adjusted Appropriations	EXPENDITURES Dec 31 2004	BALANCE Dec 31 2004	PERCENT EXPENDED
GENERAL FUND	APPROPRIATIONS 2004-05						
<u>Development Services</u>							
4520 Building Services	\$1,470,684		\$35,850	\$1,506,534	\$795,599	\$710,935	52.81%
4540 Code Enforcement	299,599			299,599	148,493	151,106	49.56%
	<b>\$1,770,283</b>	<b>\$0</b>	<b>\$35,850</b>	<b>\$1,806,133</b>	<b>\$944,092</b>	<b>\$862,041</b>	<b>52.27%</b>
<b>PLAN/BUILDING SUB TOTAL:</b>							
	<b>\$2,721,104</b>	<b>\$0</b>	<b>\$239,059</b>	<b>\$2,960,163</b>	<b>\$1,431,302</b>	<b>\$1,528,861</b>	<b>48.35%</b>
<u>Public Works</u>							
4205 Administration	\$460,695		(\$8,210)	\$452,485	\$211,062	\$241,423	46.65%
4215 Capital Projects Division	1,573,035		(28,600)	1,544,435	623,104	921,331	40.35%
4225 Land Development & Transportation	1,320,033		(41,050)	1,278,983	519,020	759,963	40.58%
4230 Maintenance Services	2,365,856		(85,000)	2,280,856	1,060,004	1,220,852	46.47%
4245 Cable Television	100,007		(10,000)	90,007	16,515	73,492	18.35%
4290 Street Lighting	289,128			289,128	184,434	104,694	63.79%
4300 PW Annual Maintenance	0		1,073,163	1,073,163	0	1,073,163	0.00%
<b>PUBLIC WORKS SUB TOTAL:</b>							
	<b>\$6,108,754</b>	<b>\$0</b>	<b>\$900,303</b>	<b>\$7,009,057</b>	<b>\$2,614,138</b>	<b>\$4,394,919</b>	<b>37.30%</b>
<u>Recreation Services</u>							
5110 Recreation	\$1,631,380		(\$56,454)	\$1,574,926	\$758,720	\$816,206	48.17%
5120 Parks	1,717,961		(46,946)	1,671,015	881,598	789,417	52.76%
5150 Mastick Senior Center	412,850	21,000	(9,400)	424,450	188,212	236,238	44.34%
5000 ARPD Annual Maintenance	0		50,000	50,000	0	50,000	0.00%
<b>RECREATION/PARKS SUB TOTAL</b>							
	<b>\$3,762,191</b>	<b>\$21,000</b>	<b>(\$62,800)</b>	<b>\$3,720,391</b>	<b>\$1,828,529</b>	<b>\$1,891,862</b>	<b>49.15%</b>
<u>Operating Sub-Total</u>							
	<b>\$61,979,188</b>	<b>\$71,000</b>	<b>\$1,273,653</b>	<b>\$63,323,842</b>	<b>\$28,870,582</b>	<b>\$34,453,260</b>	<b>45.59%</b>
<u>Capital Outlay Sub-Total</u>							
	<b>\$342,369</b>	<b>(\$78,600)</b>	<b>(\$125,000)</b>	<b>\$138,769</b>	<b>\$88,051</b>	<b>\$50,718</b>	<b>63.45%</b>
<u>Depreciation</u>							
	<b>\$1,578,037</b>	<b>(\$75,162)</b>		<b>\$1,502,875</b>	<b>\$406,438</b>	<b>\$1,096,438</b>	<b>27.04%</b>

EXHIBIT B

GENERAL FUND Non-Departmental	ORIGINAL APPROPRIATIONS 2004-05	First Qtr Adjustments	Second Qtr Adjustments	Adjusted Appropriations	EXPENDITURES Dec 31 2004	BALANCE Dec 31 2004	PERCENT EXPENDED
Customer Service Program	\$0			\$0	\$25	(\$25)	0.00%
Alameda County - Tax Collection	150,000			150,000	84,500	65,500	56.33%
Museum-Space Rental	46,152			46,152	26,922	19,230	58.33%
Affordable Housing	0		1,000	1,000	500	500	50.00%
SSHRB	9,200			9,200	9,600	(400)	104.35%
ACEA Resolution	0		157,610	157,610	0	157,610	0.00%
<b>Sub-total - Non-Departmental</b>	<b>\$205,352.00</b>	<b>\$0</b>	<b>\$158,610</b>	<b>\$363,962</b>	<b>\$121,547</b>	<b>\$242,415.00</b>	<b>33.40%</b>
<b>Transfers out:</b>							
Debt Service - City Hall & Jail Fac	\$973,848			\$973,848	\$486,924	\$486,924	50.00%
Library	1,202,774	110,000	108,076	1,420,850	578,869	841,981	40.74%
FISC - Public Safety	2,500,000			2,500,000	0	2,500,000	0.00%
Risk Management	1,500,000		(300,000)	1,200,000	600,000	600,000	50.00%
Capital Improvements (PW)	342,369	357,845	219,001	919,215	254,624	664,591	27.70%
Urban Runoff	65,000			65,000	32,500	32,500	50.00%
<b>Sub-total - Transfers Out</b>	<b>\$6,583,991</b>	<b>\$467,845</b>	<b>\$27,077</b>	<b>\$7,078,913</b>	<b>\$1,952,917</b>	<b>\$5,125,996</b>	<b>27.59%</b>
<b>TOTAL - GENERAL FUND</b>	<b>\$70,688,937</b>	<b>\$ 385,083</b>	<b>\$1,334,340</b>	<b>\$72,408,361</b>	<b>\$31,439,534</b>	<b>\$40,968,826</b>	<b>43.42%</b>

SUMMARY OF ADJUSTMENTS - GENERAL FUNDS - QUARTER 2		
Revenue	Appropriations	Department & Description
200,000		<b><u>General Fund Various</u></b> Garbage Franchise Fee collection increase due to to rate increase
	(200,999)	Transfer to CIPs - result of moving annual CIP maintenance to operations
	220,000	Transfer to CIP - to fund Park/Otis signal modification project
80,000		Transfer from Library to maintain MOE
	13,040	Transfer to Library - library portion of ACEA resolution
922,164		Transfers from other funds due to conversion of annual maintenance CP to operations. Some annual maintenace were funded by other funds such as CIT, gas tax, urban runoff etc.
	157,610	Council approved ACEA resolution
		<b><u>City Council</u></b>
	5,596	Mid year adjustment to reflect actual
		<b><u>City Manager</u></b>
	82,000	Interim City Manager cost as approved by city council
	50,000	Indian Casino as approved by city council
		<b><u>City Clerk</u></b>
	30,720	Additional personnel cost
		<b><u>Human Resource</u></b>
	(42,795)	Human Resource Net Cost Savings
		<b><u>Police</u></b>
	71,570	Misc supplies, janitorial services, prisoner housing, maintenance
		<b><u>Planning &amp; Building</u></b>
	213,000	Restore items which are over reduced in excess of 10%
26,059	26,059	Moved annual maintenance to operations
		<b><u>Public Works</u></b>
	(195,860)	Reduction in operating supplies and services and partial salary for 3 positions
	23,000	To use reserve to fund CDF Update project
	1,073,163	New division for annual maintenance

SUMMARY OF ADJUSTMENTS - GENERAL FUNDS - QUARTER 2		
Revenue	Appropriations	Department & Description
		<b><u>Recreation &amp; Park</u></b>
	(112,797)	Reduction in part-time staff and unfilled positions and utility costs
	50,000	New division for annual maintenance
		<b><u>Capital Outlay</u></b>
	(125,000)	Defer storage area network
		<b><u>Non-Departmental</u></b>
	1,000	Mortgage Certificate Program
		<b><u>GF Transfer</u></b>
	95,036	Tfr to library corresponding to increased library expenditure to restore library hours, supplies & services including MOE
	(300,000)	Risk Management to use its reserve funds
	200,000	Tfr of community planning fees to CIP/general plan
		<b><u>Equipment Replacement</u></b>
	4,400	City Clerk equipment removed in error during earlier session
	(31,000)	Traffic Signal Software funding adjustment
<b>\$ 1,228,223</b>	<b>\$ 1,307,743</b>	<b>Total General Fund Adjustment</b>

SUMMARY OF ADJUSTMENTS - OTHER FUNDS QUARTER 2		
Revenue	Appropriations	Fund
1,000	1,000	Affordable housing - for Mortgage Certificate Program
4,542,075	4,626,017	CIP - convert annual maintenance to operation and new projects
82,482	\$ (2,375,810)	ARRA - adjustment to to approved budget
348,320		BWIP - mid year adjustment
(55,645)		Housing in Lieu fee - mid year adjustment
(255,962)		APIP low/mod housing - mid year adjustment
155,045		CIC - APIP - mid year adjustment
33,898	670,350	WECIP - low/mod housing - mid year adjustment
313,830	(227,292)	BWIP - low/mod housing - mid year adjustment
	653,561	BWIP Housing Bond - mid year adjustment
	1,151,716	BWIP - redevelopment - mid year adjustment
485,348	186,237	WECIP - redevelopment - mid year adjustment
	(68,422)	APIP - redevelopment - mid year adjustment
	(5,798,168)	2003A1 Tax allocation bond - mid year adjustment
	4,502,000	2003A2 Tax allocation bond - mid year adjustment
	(6,573,858)	203B Tax allocation bond - mid year adjustment
2,871,638	30,000	FISC - mid year FISC operating budget adjustment
	269,664	Golf - CIP funding and debt service funding
93,159	93,159	HOME - mid year adjustment
	400,000	Housing in lieu - mid year adjustment
137,076	137,076	Library - To restore p/t hours, appropriate global language award spending and midyear adjustments
	963,080	Library construction - additional funding for library and acquisition of integrated library system
	1,095,000	Old Measure B - additional appropriation to repay ACTA for airport roadway construction and to fund Webster St sidewalks
	54,000	Measure B - new project funding

SUMMARY OF ADJUSTMENTS - OTHER FUNDS QUARTER 2		
Revenue	Appropriations	Fund
	1,966,000	Sewer - Funding for cyclic sewer - \$1,416,000 new project, master plan - \$500,000, Webster & Park St Streetscape project,- \$50,000
	74,750	Technology fund - to upgrade tele server
	30,000	Tideland trust - funding for new CIP
	755,000	Urban runoff - additional cost for drainage for Webster & Park St and new projects
(300,000)		Risk Management - to use fund reserve and reduce transfer fr GF
\$ 8,452,264	\$ 2,615,060	Total Fund Adjustment - Other Funds

SUMMARY OF ADJUSTMENTS - QUARTER 1		
Revenue	Appropriations	Department & Description
\$ 259,620		<b><u>General Fund Various</u></b>
(2,026,840)		Net effect of triple flip
	\$ 110,000	Emergency 911 Fee and PILOT/ROI Fee not adopted
	75,000	Library Lease payment to AUD
	2,631	Council approved Chinatown agreement
	194,214	Adjustment to adopted budget for CIP funding
1,502,875		Various CIP rollover
		Depreciation/Equipment Replacement (non-cash)
	1,502,875	Depreciation Expense (non cash)
	514,441	Various appropriation corrections
		<b><u>ARPD</u></b>
23,886		County grant not included in adopted budget
	21,000	Part time position funded by the above county grant
	7,400	Purchase patio bench from senior citizen donations
		<b><u>Fire Dept</u></b>
	(86,000)	Reclass from general fund capital outlay to CIP
		<b><u>Capital Outlay</u></b>
	86,000	Reclass to fire dept expense
		<b><u>City Attorney</u></b>
	50,000	Council approved for recruitment of city manager
		<b><u>Public Works</u></b>
(500,000)		Impact of staff reduction resulting in reduction of engineering service fees
<b>\$ (740,459)</b>	<b>\$ 2,477,561</b>	<b>Total General Fund Adjustment</b>



SPECIAL REVENUE FUNDS		EXHIBIT C						
FUND#	DESCRIPTION	ESTIMATED REVENUE	1st Qtr Adjustment	2nd Qtr Adjustment	ADJUSTED REVENUE EST	ACTUAL 31-Dec-04	BALANCE TO COLLECT	PERCENT COLLECTED
835	1998 REVENUE BOND DEBT	\$1,468,005			\$1,468,005	\$1,829,705	(\$361,700)	124.64%
836	1999 REVENUE BOND DEBT	2,818,487			2,818,487	460	2,818,027	0.02%
468	2003 AP REV BOND DEBT	0			0	16,333	(16,333)	0.00%
328	2003 AP REVENUE BOND	0			0	13,270	(13,270)	0.00%
201.11	2003 CIC TAX ALLOC 2003A1	0			0	14,427	(14,427)	0.00%
201.13	2003 CIC TAX ALLOC 2003A2	0			0	28,534	(28,534)	0.00%
201.15	2003 CIC TAX ALLOC 2003B	0			0	12,752	(12,752)	0.00%
465	2003 TAX ALLOC REF BWIP	0			0	68,563	(68,563)	0.00%
266	AFFORDABLE HOUSING	363,012		1,000	364,012	165,319	198,693	45.42%
856	ALA PT BOND PROJ FUND	61,800			61,800	0	61,800	0.00%
858	ALAMEDA REUSE AND REDEVELOPMENT	10,066,486		82,482	10,148,968	5,314,993	4,833,975	52.37%
117	AP & T REIMBURSABLES	0			0	5,562,245	(5,562,245)	0.00%
219	ASSET SEIZURE FUNDS	20,000			20,000	14,684	5,316	73.42%
280	ATHLETIC TRUST	1,369,557			1,369,557	666,009	703,548	48.63%
278	BAYPORT AD 03-1	0			0	28,673	(28,673)	0.00%
203	BUSINESS & WATERFRONT CIC PROJ.	2,394,300		348,320	2,742,620	2,048	2,740,572	0.07%
310	CAPITAL IMPROVEMENT FUND	6,856,000		5,318,553	16,716,628	3,362,953	13,353,675	20.12%
340.11	CDF- WE TRAFFIC SAFETY	0			0	77,190	(77,190)	0.00%
340.12	CDF- WE PARKS & RECREATION	0			0	26,200	(26,200)	0.00%
340.13	CDF- WE PUBLIC FACILITIES	0			0	5,949	(5,949)	0.00%
340.14	CDF- WE PUBLIC SAFETY	0			0	3,276	(3,276)	0.00%
340.31	CDF- CEE TRAFIC SAFETY	0			0	2,272	(2,272)	0.00%
340.32	CDF- CEE PARKS & REC	0			0	2,607	(2,607)	0.00%
340.33	CDF- CEE PUBLIC FACILITIES	0			0	443	(443)	0.00%
340.34	CDF- CEE PUBLIC SAFETY	0			0	187	(187)	0.00%
340.41	CDF- BF TRAFFIC SAFETY	0			0	6,358	(6,358)	0.00%
340.42	CDF- BF PARKS & RECREATION	0			0	6,919	(6,919)	0.00%
340.43	CDF- BF PUBLIC FACILITIES	0			0	2,093	(2,093)	0.00%
340.44	CDF- BF PUBLIC SAFETY	0			0	1,304	(1,304)	0.00%
703	CENTRAL GARAGE FUND	253,903			253,903	111,138	142,765	43.77%
702	CENTRAL STORES FUND	899,100			899,100	269,822	629,278	30.01%
360	CFD #1 - HARBOR BAY	73,900			73,900	0	73,900	0.00%
361	CFD# 2 - PARAGON	100,000			100,000	3,586	96,414	3.59%
204.5	CIC - HOUSING IN-LIEU FEE	412,000		(55,645)	356,355	366,882	(10,527)	102.95%
206	CIC- APIP LOWMOD INC HSG	392,965		(255,962)	137,003	0	137,003	0.00%
204.4	CIC- BWIP HSG 2002 BOND PROJECT	369,000			369,000	0	369,000	0.00%
205	CIC-ALAMEDA POINT	392,965		155,045	548,010	0	548,010	0.00%
227	COMMERCIAL REVITALIZATION	20,196			20,196	26,960	(6,764)	133.49%
236	COMMUNITY DEVELOPMENT	1,746,000			1,746,000	918,046	827,954	52.58%
164	CONSTRUCTION IMPROVEMENT FUND	\$500,000			500,000	448,959	\$51,041	89.79%
273	CURBSIDE RECYCLING FEE	0			0	244	(244)	0.00%
458	DEBT SERVICE - 84-3A	349,000			349,000	181,245	167,755	51.93%
460	DEBT SERVICE - 84-3B	113,800			113,800	45,097	68,703	39.63%
832	DEBT SERVICE - 89-1	3,652,000			3,652,000	1,829,959	1,822,041	50.11%
833	DEBT SERVICE - 92-1	2,963,000			2,963,000	0	2,963,000	0.00%
860	DEBT SERVICE - CFD #1	1,584,000			1,584,000	813,291	770,709	51.34%
462	DEBT SERVICE - CIC SUB BOND	868,526			868,526	2,436	866,090	0.28%

SPECIAL REVENUE FUNDS								EXHIBIT
FUND#	DESCRIPTION	ESTIMATED REVENUE	1st Qtr Adjustment	2nd Qtr Adjustment	ADJUSTED REVENUE EST	ACTUAL 31-Dec-04	BALANCE TO COLLECT	PERCENT COLLECTED
413	DEBT SERVICE - JAIL FACILITY	238,898			238,898	114,414	124,484	47.89%
419	DEBT SERVICE - LIB & GOLF PROJ	378,361			378,361	182,249	196,112	48.17%
421	DEBT SERVICE - LIBRARY BOND	644,450			644,450	348,691	295,759	54.11%
861	DEBT SERVICE - PARAGON	179,000			179,000	116,118	62,882	64.87%
464	DEBT SERVICE REFINANCE CITYHALL	826,850			826,850	424,997	401,853	51.40%
857	DEBT SRV ALA PT	32,000			32,000	0	32,000	0.00%
713	DENTAL TRUST	559,882			559,882	362,379	197,503	64.72%
876	DIKE MAINTENANCE	20,000			20,000	0	20,000	0.00%
221	DWELLING UNIT TAX FUND	160,000			160,000	78,064	81,936	48.79%
298	EQUIPMENT ACQUISITION FUND	95,867			95,867	0	95,867	0.00%
621.1	FERRY SERVICE FUND	1,052,339	195,176		1,247,515	871,458	376,057	69.86%
621.2	FERRY SERVICE FUND	1,563,822	204,337		1,768,159	743,824	1,024,335	42.07%
256.1	FISC CATELLUS	0			0	2,766,609	(2,766,609)	0.00%
256	FISC LEASE REVENUE BOND	352,133		2,871,638	3,223,771	3,054,644	169,127	94.75%
270	GARBAGE SURCHARGE	150,000			150,000	72,917	77,083	48.61%
211	GAS TAX FUNDS	1,757,500			1,757,500	486,868	1,270,632	27.70%
601	GOLF ENTERPRISE FUND	5,522,700	50,000		5,572,700	2,523,453	3,049,247	45.28%
265.1	HA SECTION 8 PROJECTS	0			0	899	(899)	0.00%
313	HARBOR BAY AD # - 92-1	368,000			368,000	6,865	361,135	1.87%
235	HOME FUND	327,600			327,600	51,850	275,750	15.83%
248	HOME REPAYMENT FUND	0		93,159	93,159	93,159	(0)	100.00%
115	HSG AUTH REIMB FUND	2,650,000			2,650,000	1,372,404	1,277,596	51.79%
265	HOUSING DEVELOPMENT	20,000			20,000	0	20,000	0.00%
275.1	ISLAND CITY MTE DIST ZONE 1	4,850			4,850	2,360	2,490	48.66%
275.2	ISLAND CITY MTE DIST ZONE 2	18,650			18,650	9,155	9,495	49.09%
275.3	ISLAND CITY MTE DIST ZONE 3	17,000			17,000	8,240	8,760	48.47%
275.4	ISLAND CITY MTE DIST ZONE 4	62,000			62,000	30,169	31,831	48.66%
275.5	ISLAND CITY MTE DIST ZONE 5	620,750			620,750	353,695	267,055	56.98%
275.6	ISLAND CITY MTE DIST ZONE 6	313,500			313,500	160,603	152,897	51.23%
275.7	ISLAND CITY MTE DIST ZONE 7	10,200			10,200	9,711	489	95.21%
268	LEAD	120,000	45,000		165,000	0	165,000	0.00%
317	LIBRARY CONSTRUCTION	0			0	4,011	(4,011)	0.00%
210	LIBRARY FUND - OPERATIONS	2,288,972	130,000	137,076	2,556,048	1,301,667	1,254,381	50.92%
204	LOW & MOD INCOME HSG - BWIP	380,300		313,830	694,130	0	694,130	0.00%
202	LOW & MOD INCOME HSG - WECIP	919,000		33,898	952,898	1,347	951,551	0.14%
276	MARINA COVE MAINT DT 01-1	36,949			36,949	37,676	(727)	101.97%
312	MARINA VILLAGE AD# - 89-1	123,138			123,138	14,599	108,539	11.86%
215	MEASURE B	0			0	0	0	0.00%
215.1	MEASURE B LOCAL ST & RD	1,267,603			1,267,603	338,321	929,282	26.69%
215.2	MEASURE B BICYCLE PED IMP	171,423			171,423	45,727	125,696	26.67%
215.3	MEASURE B TRANSBAY FERRY	713,539			713,539	190,779	522,760	26.74%
215.4	MEASURE B PARATRANSIT	137,903			137,903	36,962	100,941	26.80%
224	PARKING METER FUND	465,000			465,000	240,748	224,252	51.77%
801	POLICE AND FIRE - PLAN 1079	5,085,000			5,065,000	1,606,761	3,458,239	31.72%
802	POLICE AND FIRE - PLAN 1082	635,000			635,000	562,353	72,647	88.56%
161	POLICE/FIRE IMPACT FEES	35,000			35,000	50,048	(15,048)	142.99%
285	PUBLIC ARTS	20,000			20,000	4,928	15,072	24.64%
249	REHAB REPAYMENT FUND	185,000			185,000	130,582	54,418	70.58%

SPECIAL REVENUE FUNDS								
FUND#	DESCRIPTION	ESTIMATED REVENUE	1st Qtr Adjustment	2nd Qtr Adjustment	ADJUSTED REVENUE EST	ACTUAL 31-Dec-04	BALANCE TO COLLECT	EXHIBIT PERCENT COLLECTED
712	RISK MANAGEMENT	1,911,028		(300,000)	1,611,028	935,273	675,755	58.05%
620	SENIOR CITIZENS TRANSPORTATION	130,242			130,242	12,049	118,194	9.25%
602	SEWER ENTERPRISE FUND	5,516,147			5,516,147	4,309,697	1,206,450	78.13%
267	SSHRB	44,200			44,200	(1,326)	45,526	-3.00%
466	TAX ALLOC BONDS -MERGED PROJECT	2,710,866			2,710,866	1,393,295	1,317,571	51.40%
704	TECHNOLOGY SERVICE FUND	558,000			558,000	396,189	161,811	71.00%
216	TIDELANDS TRUST	150,000			150,000	39,398	110,602	26.27%
213	TRAFFIC SAFETY FUND	150,000			150,000	64,485	85,515	42.99%
350	TRANSPORTATION IMP FUND	351,864			351,864	76,706	275,158	21.80%
225	TSM/TDM	0			0	(2,577)	2,577	0.00%
715	UNEMPLOYMENT	30,621			30,621	15,297	15,325	49.95%
351	URBAN RUNOFF	2,817,840			2,817,840	1,325,022	1,492,818	47.02%
274	WASTE MANAGEMENT/RECYCLING	696,900			696,900	322,580	374,320	46.29%
201	WEST END COMM. IMP PROJ.	3,597,200		485,348	4,082,548	805,502	3,277,046	19.73%
711	WORKERS COMPENSATION TRUST	1,255,470			1,255,470	603,067	652,404	48.04%
TOTAL: SPECIAL FUNDS		\$ 90,538,559	\$ 5,943,066	\$ 8,452,264	\$ 104,933,889	\$ 51,365,542	\$ 53,588,347	56.73%

## EXHIBIT C

	APPROPRIATIONS			First Qtr	Second Qtr	Adjusted	EXPENDITURES		BALANCE	PERCENT
	2004-05			Adjustments	Adjustments	Appropriations	31-Dec-04	31-Dec-04	31-Dec-04	EXPENDED
SPECIAL FUNDS										
93006 ABANDONED VEHICLE PROGRAM	\$83,942					\$83,942	\$51,764	\$32,178	61.67%	
266 AFFORDABLE HOUSING FUND	244,481					245,481	108,287	137,194	44.11%	
858 ALAMEDA REDEV & REUSE AUTHORITY	14,715,474			(1,471,680)	(2,375,810)	10,867,984	6,893,282	3,974,702	63.43%	
117 AP & T REIMBURSABLES	0					0	5,562,217	(5,562,217)	0.00%	
219 ASSET SEIZURE FUNDS	5,000					5,000	24,005	(19,005)	480.10%	
280 ATHLETIC TRUST	1,393,961			44,919		1,438,880	843,790	595,090	58.64%	
268 CALIFORNIA HOUSING REHABLEAD	0			45,000		45,000	21,500	23,500	47.78%	
310 CAPITAL IMPROVEMENT FUND	6,773,058			5,318,553	4,626,017	16,717,628	2,839,178	13,878,450	16.98%	
703 CENTRAL GARAGE	14,580					14,580	98,304	(83,724)	674.24%	
702 CENTRAL STORES	700,000					700,000	307,661	392,339	43.95%	
361 CFD #2 PARAGON	0					0	1	(1)	0.00%	
227 COMMERCIAL REVITALIZATION	207,635					207,635	82,327	125,308	39.65%	
236 COMMUNITY DEVELOPMENT	1,610,535					1,610,535	1,083,224	527,311	67.26%	
164 CONSTRUCTION IMPROVEMENT TAX	718,000			25,966		743,966	49,954	694,012	6.71%	
273 CURBSIDE RECYCLING	19,358					19,358	9,729	9,629	50.26%	
DEBT SERVICE FUNDS:										
328 2003 AP REV BD PROJ	0					0	(207,052)	207,052	0.00%	
413 1990 POLICE BLDG	238,898					238,898	183,551	55,347	76.83%	
415 1989 COPS ABAG	0					0	1,318	(1,318)	0.00%	
419 Debt Service -Library and Golf Project	372,360					372,360	257,871	114,489	69.25%	
421 Debt Service -Library BD 2003	644,450					644,450	398,016	246,435	61.76%	
458 Assess Dist 84-3A	332,000					332,000	0	332,000	0.00%	
460 Assiss Dist 84-3B	210,000					210,000	0	210,000	0.00%	
462 Debt CIC Sub Bond	868,526					868,526	169,302	699,224	19.49%	
464 Refinance Cityhall	829,950					829,950	234,994	594,956	28.31%	
465 2003 Tax Allocation Refi - BWIP	834,968					834,968	417,823	417,145	100.00%	
466 2003 CIC Tax Allocation Bond	0					0	1,347,981	(1,347,981)	100.00%	
468 2003 AP Revenue Bond Debt	1,127,539					1,127,539	338,664	788,875	200.00%	
832 Assess Dist 89-1	2,812,118					2,812,118	0	2,812,118	0.00%	
835 1998 Revenue Bond Debt	2,813,469					2,813,469	3,839,248	(1,025,779)	136.46%	
836 1999 Revenue Bond Debt	3,654,722					3,654,722	3,303,676	351,046	90.39%	
860 ASSESS DIST CFD #1	1,496,000					1,496,000	948,888	547,112	63.43%	
861 ASSESS DIST CDF #2 PARAGON	178,888					178,888	133,089	45,799	74.40%	
204.4 CIC -BWIP HSG 2002 Bd Project	103,494				653,561	757,055	173,196	583,859	22.88%	
201.11 CIC 2003A1 TAX ALLOCATION	6,848,168			(5,798,168)		1,050,000	0	1,050,000	0.00%	
201.13 CIC 2003A2 TAX ALLOCATION	1,819,873			4,502,000		6,321,873	292,615	6,029,258	4.63%	
201.15 CIC 2003B TAX ALLOCATION	8,540,874				(6,573,858)	1,967,016	0	1,967,016	0.00%	
713 DENTAL TRUST	560,000					560,000	319,692	240,308	57.09%	
221 DWELLING UNIT TAX FUND	185,492					185,492	101,732	83,760	54.84%	
119 EQUIPMENT REPLACEMENT FUND	471,309				(26,600)	444,709	249,011	195,698	55.99%	
621.1 EASTEND FERRY	1,052,339			195,176		1,247,515	840,761	406,754	67.39%	
621.2 WESTEND FERRY	1,563,822			204,337		1,768,159	755,212	1,012,947	42.71%	
256 FISC LEASE REVENUE FUND	3,193,771				30,000	3,223,771	1,545,793	1,677,978	47.95%	
256.1 FISC - CATELLUS	0					0	525,402	(525,402)	0.00%	
270 GARBAGE SURCHARGE	157,580			80,536		238,116	46,091	192,025	19.36%	
211 GAS TAX FUND	1,872,015					1,872,015	664,200	1,207,815	35.48%	
601 GOLF ENTERPRISE FUND	4,956,180			50,000	269,664	5,275,844	2,235,784	3,040,060	42.38%	
313 HBIA ASSESSMENT DIST 92-1	1,330,000					1,330,000	694,950	645,050	51.50%	
248 HOME REPAYMENT FUND	0				93,159	93,159	93,159	(0)	100.00%	
235 HOME Fund	327,600					327,600	219,909	107,691	67.13%	
115 HOUSING AUTHORITY REIMBURSABLE FUNI	2,850,000					2,850,000	1,372,637	1,277,363	51.80%	
265 HOUSING DEVELOPMENT	20,000					20,000	0	20,000	0.00%	
204.5 HOUSING IN LIEU	350,000				400,000	750,000	630,000	120,000	84.00%	
267 HUMAN SERVICES/SSHRB/YOUTH COLLAB.	44,200					44,200	99,009	(54,809)	224.00%	

## EXHIBIT C

SPECIAL FUNDS								
	APPROPRIATIONS			First Qtr	Second Qtr	Adjusted	EXPENDITURES	PERCENT
	2004-05	Adjustments	Adjustments	Adjustments	Appropriations	31-Dec-04	BALANCE	EXPENDED
							31-Dec-04	
275.1	84-2 Zone 1	4,850			4,850	(394)	5,244	(8.12%)
275.2	84-2 Zone 2	18,650			18,650	3,778	14,872	20.26%
275.3	84-2 Zone 3	17,000			17,000	3,776	13,224	22.21%
275.4	84-2 Zone 4	62,000			62,000	21,378	40,622	34.48%
275.5	84-2 Zone 5	600,000			600,000	320,168	279,832	53.36%
275.6	84-2 Zone 6	313,500			313,500	117,576	195,924	37.50%
275.7	84-2 Zone 7	10,200			10,200	10	10,190	0.10%
210	LIBRARY FUND	2,481,646	122,000		2,740,722	1,428,056	1,312,666	52.11%
317	LIBRARY CONSTRUCTION FUND	0			963,080	16,539	946,541	1.72%
202	LOW AND MOD INC HOUSING (WECIP)	1,017,011			1,687,361	382,159	1,305,202	22.65%
204	LOW AND MOD INC HOUSING (BWIP)	1,041,238			813,946	145,636	668,310	17.89%
206	LOW AND MOD INC HOUSING (APIP)	108,560		(227,292)	108,560	37,504	71,056	34.55%
276	MARINA COVE MAINT DT 01-1	1,000			1,000	1,047	(47)	104.70%
312	MARINA DISTRICT A.D.89-1	137,000			137,000	0	137,000	0.00%
215	MEASURE B FUND	0	424,011	1,095,000	1,519,011	23,460	1,495,551	(1.544%)
215.1	MEASURE B FUND Local St & Rd	1,294,600	458,539	54,000	1,807,139	297,442	1,509,697	16.46%
215.2	MEASURE B BICYCLE PED IMP	171,400	89,678		261,078	184,146	76,932	70.53%
215.3	MEASURE B TRANSBAY FERRY	1,015,000	(301,000)		714,000	138,815	575,185	19.44%
215.4	MEASURE B PARA TRANSIT	265,242			265,242	10,604	254,638	4.00%
224	PARKING METER FUND	160,662	1,251,791		1,412,453	1,341,061	71,392	94.95%
801	PENSION FUND - 1079	5,065,000			5,065,000	1,606,761	3,458,239	31.72%
802	PENSION FUND - 1082	635,000			635,000	562,353	72,647	88.56%
161	POLICE/FIRE IMPACT FEES	35,000			35,000	17,500	17,500	50.00%
203	REDEV. BWIP	2,619,404		1,151,716	3,771,120	1,364,700	2,406,420	36.19%
201	REDEV. WECIP	4,203,569		186,237	4,389,806	1,758,181	2,631,625	40.05%
205	REDEV. APIP	873,193		(68,422)	804,771	291,861	512,910	36.27%
249	REHAB REPAYMENT FUND	185,000			185,000	330,323	(145,323)	178.55%
712	RISK MANAGEMENT	2,042,726			2,042,726	1,279,306	763,420	62.63%
602	SANITARY SEWER ENTERPRISE FUND	2,891,657		1,966,000	4,857,657	1,488,971	3,368,686	30.65%
620	SENIOR CITIZENS TRANSPORTATION	130,242			130,242	9,748	120,494	7.48%
704	TECHNOLOGY SERVICE FUND	496,891		74,750	571,641	293,513	278,128	51.35%
216	TIDELANDS TRUST FUND	116,819		30,000	146,819	56,803	90,016	38.69%
213	TRAFFIC SAFETY FUNDS	250,000			250,000	125,000	125,000	50.00%
350	TRANSPORTATION IMPROVEMENT FUND	186,000	1,601,165		1,787,195	254,139	1,533,056	14.22%
715	UNEMPLOYMENT	31,000			31,000	21,487	9,513	69.31%
351	URBAN RUNOFF	1,341,999	767,790	755,000	2,864,789	820,432	2,044,357	28.64%
274	WASTE MANAGEMENT/RECYCLING	732,658			732,658	193,913	538,745	26.47%
711	WORKERS COMPENSATION TRUST	3,710,817			3,710,817	933,739	2,777,078	25.16%
Total Special Funds		\$113,213,163	\$8,906,811	\$2,588,460	\$124,708,434	\$56,073,237	\$68,635,197	44.96%

## SUMMARY ANALYSIS OF FUNDS

FY 04-05

As of December 31, 2004

FUND	DESCRIPTION	Audited Fund Balance 6/30/2004 (a)	Estimated Revenue (b)	Actual Revenue (c)	Appropriations (d)	Expenses (e)	FY 04-05 Estimated Net Change f = b - d	Estimated Fund Balance 6/30/2005 g = a - f
<b>General Fund Group:</b>								
001	General Fund	\$ 16,205,008	\$ 66,493,373	\$ 30,147,536	\$ 72,408,361	\$ 31,439,534	(\$5,914,988)	\$ 10,290,020
	General Fund Reserve (29411)	0	0	0	0	0	0	0
	FB Desig-Accure Vacatn (29432)	0	0	0	0	0	0	0
	FB Desig-Post Retir Bef (29433)	0	0	0	0	0	0	0
119	Equipment Replacement	2,040,722	1,502,875	449,632	444,709	249,011	1,058,166	3,098,888
186	General Fixed Assets	0	0	0	0	0	0	0
187	Gen. Long-Term Obligation	0	0	0	0	0	0	0
	Total General Fund	\$ 18,245,729	\$ 67,996,248	\$ 30,597,168	\$ 72,853,070	\$ 31,688,545	(\$4,856,822)	\$ 13,388,907

**Special Revenue Fund Group:**

161	Police/Fire Const. Impact	\$ 5,499	\$ 35,000	\$ 50,048	\$ 35,000	\$ 17,500	\$ 0	\$ 5,499
164	Const Improvement Fund	465,476	500,000	448,959	743,966	49,954	(243,966)	221,510
201	CIC-WECIP	1,976,106	4,082,548	805,502	4,389,806	1,758,181	(307,258)	1,668,848
201.11	2003 CIC Tax Allo 2003A1	6,604,288	0	14,427	1,050,000	0	(1,050,000)	5,554,288
201.13	2003 CIC Tax Allo 2003A2	23,823,945	0	28,534	6,321,873	292,615	(6,321,873)	17,502,072
201.15	2003 CIC Tax Allo 2003B	5,837,603	0	12,752	1,967,016	0	(1,967,016)	3,870,587
202	CIC-WECIP Housing	1,041,570	952,898	1,347	1,687,361	382,159	(734,463)	307,107
203	CIC-BWIP	1,049,831	2,742,620	2,048	3,771,120	1,364,700	(1,028,500)	21,331
204	CIC-BWIP Housing	(10,208)	694,130	0	813,946	145,636	(119,816)	(130,024)
204.4	CIC-BWIP Hsg 2002 Bond Procee	758,669	369,000	0	757,055	173,196	(388,055)	370,614
204.5	CIC-Housing In-Lieu Fee	717,025	356,355	366,882	750,000	630,000	(393,645)	323,380
205	CIC-APIP	(1,425,975)	548,010	0	804,771	291,861	(256,761)	(1,682,736)
	CIC-APIP FB reserve (29411)	0	0	0	0	0	0	0
206	CIC-APIP Housing	206,520	137,003	0	108,560	37,504	28,443	234,963
	CIC-APIP Hsg FB reserve (29411)	0	0	0	0	0	0	0
210	Alameda City Library Fund	0	2,556,048	1,301,667	2,740,722	1,428,056	(184,674)	(184,674)
211	Gas Tax Fund	0	1,757,500	486,868	1,872,015	664,200	(114,515)	(114,515)
213	Traffic Safety Fund	0	150,000	64,485	250,000	125,000	(100,000)	(100,000)
215	County Measure B Fund	1,617,296	0	0	1,519,011	23,460	(1,519,011)	98,285
215.1	Measure B - Local St & Rd	1,282,824	1,267,603	338,321	1,807,139	297,442	(539,536)	743,288
215.2	Measure B - Bicycle Ped Imp	177,414	171,423	45,727	261,078	184,146	(89,655)	87,759
215.3	Measure B - Transbay Ferry	355,332	713,539	190,779	714,000	138,815	(461)	354,871

# SUMMARY ANALYSIS OF FUNDS

FY 04-05

As of December 31, 2004

FUND	DESCRIPTION	Audited Fund Balance 6/30/2004	Estimated Revenue	Actual Revenue	Appropriations	Expenses	FY 04-05 Estimated Net Change	Estimated Fund Balance 6/30/2005
		(a)	(b)	(c)	(d)	(e)	f = b - d	g = a - f
215.4	Measure B - Para Transit	180,804	137,903	36,962	265,242	10,604	(127,339)	53,465
216	Tidelands Fund	741,453	150,000	39,398	146,819	56,803	3,181	744,634
219	Narcotics Asset Seizure	(60,554)	20,000	14,684	5,000	24,005	15,000	(45,554)
221	Dwelling Unit Fund	47,686	160,000	78,064	185,492	101,732	(25,492)	22,194
223	Parking In-Lieu Fund	70,823	0	0	0	0	0	70,823
224	Parking Meter Fund	2,251,853	465,000	240,748	1,412,453	1,341,061	(947,453)	1,304,400
225	TSM/TDM Fund	3,652	0	2,577	0	0	0	3,652
227	Commercial Revitalization	604,300	20,196	26,960	207,635	82,327	(187,439)	416,861
235	Home Fund	0	327,600	51,850	327,600	219,909	0	0
236	CDBG	(0)	1,746,000	918,046	1,610,535	1,083,224	135,465	135,465
248	Home Repymt Fund	0	93,159	93,159	93,159	93,159	0	0
249	Rehab Repayment Fund	912,317	185,000	130,582	185,000	330,323	0	912,317
256	FISC Lease Revenue Fund	(2,513,223)	3,223,771	3,054,644	3,223,771	1,545,793	0	(2,513,223)
256.1	FISC - Catellus	(2,811,713)	0	2,766,609	0	525,402	0	(2,811,713)
259	Vehicle Registr. AB434	37,086	0	0	0	0	0	37,086
265	Housg Developmt-HA Reimb	(15)	20,000	0	20,000	0	0	(15)
265.1	HA Section 8 Projects	101,006	0	899	0	0	0	101,006
266	Affordable Housing	166,413	364,012	165,319	245,481	108,287	118,531	284,944
267	Human Services	46,482	44,200	(1,326)	44,200	99,009	0	46,482
268	CHRO/LEAD	25,128	165,000	0	45,000	21,500	120,000	145,128
270	Garbage Subcharge Fund	430,791	150,000	72,917	238,116	46,091	(88,116)	342,675
273	Curbside Recycling	257,219	0	244	19,358	9,729	(19,358)	237,861
274	Waste Reduction Subcharge	3,813,326	696,900	322,580	732,658	193,913	(35,758)	3,777,568
	Designate Equip Repl (29431)	0	0	0	0	0	0	0
275	Island City Maint 84-2	(718)	0	0	0	0	0	(718)
275.1	Island City Maint 84-2 Z1	7,845	4,850	2,360	4,850	(394)	0	7,845
275.2	Island City Maint 84-2 Z2	60,468	18,650	9,155	18,650	3,778	0	60,468
275.3	Island City Maint 84-2 Z3	61,099	17,000	8,240	17,000	3,776	0	61,099
275.4	Island City Maint 84-2 Z4	50,685	62,000	30,169	62,000	21,378	0	50,685
275.5	Island City Maint 84-2 Z5	43,885	620,750	353,695	600,000	320,168	20,750	64,635
275.6	Island City Maint 84-2 Z6	179,344	313,500	160,603	313,500	117,576	0	179,344
275.7	Island City Maint 84-2 Z7	13,591	10,200	9,711	10,200	10	0	13,591
276	Marina Cove Maint Dist 01-1	91,353	36,949	37,676	1,000	1,047	35,949	127,302
276.1	Reserve Marina Cove 01-01	0	0	0	0	0	0	0

# SUMMARY ANALYSIS OF FUNDS

FY 04-05

As of December 31, 2004

FUND	DESCRIPTION	Audited Fund Balance 6/30/2004	Estimated Revenue	Actual Revenue	Appropriations	Expenses	FY 04-05 Estimated Net Change	Estimated Fund Balance 6/30/2005
		(a)	(b)	(c)	(d)	(e)	f = b - d	g = a - f
278	Bayport AD 03-1	0	0	28,673	0	0	0	0
280	Athletic Fund	361,891	1,369,557	666,009	1,438,880	843,790	(69,323)	292,568
285	Public Art Fund	10,844	20,000	4,928	0	0	20,000	30,844
298	Equip. Acquisition Fund	0	95,867	0	0	0	95,867	95,867
620	Sr Citizen Transportation	26,022	130,242	12,049	130,242	9,748	0	26,022
858	Alameda Reuse & Redevelop	4,414,154	10,148,968	5,314,993	10,867,984	6,893,282	(719,016)	3,695,138
876	Dike Maintenance Fund	312,797	20,000	0	0	0	20,000	332,797
Total Special Revenue Fund		\$ 54,421,307	\$ 37,870,951	\$ 18,811,521	\$ 54,836,264	\$ 22,111,458	(\$16,965,313)	\$ 37,455,994

## Capital Project Fund Group:

310	Capital Improvement Proj.	\$ 11,890,315	\$ 16,716,628	\$ 3,362,953	\$ 16,801,570	\$ 2,890,942	(\$84,942)	\$ 11,805,373
312	Marina Village A.D. 89-1	2,488,573	123,138	14,599	137,000	0	(13,862)	2,474,711
313	H.B.I. 92-1 Assessmt Dist	1,453,012	368,000	6,865	1,330,000	684,950	(962,000)	491,012
317	Library Construction Fund	1,331,122	0	4,011	963,080	16,539	(963,080)	368,042
318	Open Space Improvement Fund	998,416	0	0	0	0	0	998,416
328	2003 AP Rev Bond Project Fund	3,187,346	0	13,270	0	(207,052)	0	3,187,346
340.11	CDF-WE Traffic Safety	510,516	0	77,190	0	0	0	510,516
340.12	CDF-WE Parks & Rec	87,028	0	26,200	0	0	0	87,028
340.13	CDF-WE Public Facilities	25,494	0	5,949	0	0	0	25,494
340.14	CDF-WE Public Safety	15,954	0	3,276	0	0	0	15,954
340.21	CDF-NW Traffic Safety	216,402	0	0	0	0	0	216,402
340.22	CDF-NW Park & Recreation	125,347	0	0	0	0	0	125,347
340.23	CDF-NW Public Safety	24,823	0	0	0	0	0	24,823
340.24	CDF-NW Public Safety	11,827	0	0	0	0	0	11,827
340.31	CDF-CEE Traffic Safety	17,584	0	2,272	0	0	0	17,584
340.32	CDF-CEE Parks & Recreation	8,075	0	2,607	0	0	0	8,075
340.33	CDF-CEE Public Facilities	1,758	0	443	0	0	0	1,758
340.34	CDF-CEE Public Safety	864	0	187	0	0	0	864
340.41	CDF-BF Traffic Safety	7,373	0	6,358	0	0	0	7,373
340.42	CDF-BF Parks & Recreation	37,873	0	6,919	0	0	0	37,873
340.43	CDF-BF Public Facilities	6,432	0	2,093	0	0	0	6,432
340.44	CDF-BFPublic Safety	2,773	0	1,304	0	0	0	2,773
350	Transportation Impmt. Fund	1,719,443	351,864	76,706	1,787,195	254,139	(1,435,331)	284,112



# SUMMARY ANALYSIS OF FUNDS

FY 04-05

As of December 31, 2004

FUND	DESCRIPTION	Audited Fund Balance 6/30/2004	Estimated Revenue (b)	Actual Revenue (c)	Appropriations (d)	Expenses (e)	FY 04-05 Estimated Net Change f = b - d	Estimated Fund Balance 6/30/2005 g = a - f
351	Urban Runoff	2,917,108	2,817,840	1,325,022	2,864,789	820,432	(46,949)	2,870,159
360	CFD #1 Harbor Bay	208	73,900	0	0	0	73,900	74,108
361	CFD #2 Paragon Gateway	451,749	100,000	3,586	0	1	100,000	551,749
856	Alameda Pt Bond Project Fd	0	61,800	0	0	0	61,800	61,800
Total Capital Project Fund		\$ 27,537,415	\$ 20,613,170	\$ 4,941,810	\$ 23,883,634	\$ 4,459,952	(\$3,270,464)	\$ 24,266,951

## Debt Service Fund Group:

413	Debt Svc-1990 Police Bldg	\$ 247,189	\$ 238,898	\$ 114,414	\$ 238,898	\$ 183,551	\$0	\$ 247,189
415	Debt Svc-ABAG XX	1,318	0	0	0	1,318	0	1,318
417	Debt Svc-1994 Street Impr	0	0	0	0	0	0	0
418	Debt Svc-City Hall Bond	0	0	0	0	0	0	0
419	Debt Svc-Library/Golf Proj	606,068	378,361	182,249	372,360	257,871	6,001	612,069
421	Debt Svc-Library Bond 2003	344,156	644,450	348,691	644,450	398,016	0	344,156
461	Debt Svc-Debt Serv CIC Tx All Bd	344	0	0	0	0	0	344
462	Debt Svc-CIC Sub Bond	523,883	868,526	2,436	868,526	169,302	0	523,883
463	Debt Svc-CFD#4 Tax Bond	0	0	0	0	0	0	0
464	Debt Svc-Refin CityHall 2002	1,481,154	826,850	424,997	829,950	234,994	(3,100)	1,478,054
465	Debt Svc 2003 Tax Allo Refd BWIP	2,184,877	0	68,563	834,968	417,823	(834,968)	1,349,909
466	Debt Svc 2003 CIC Tax Alloc Bd	4,177,987	2,710,866	1,393,295	0	1,347,981	2,710,866	6,888,853
468	Debt Svc 2003 AP Rev Bond	3,007,765	0	16,333	1,127,539	338,664	(1,127,539)	1,880,226
857	Debt Svc for Alameda Pt Bond	0	32,000	0	0	0	32,000	32,000
Total Debt Service Fund		\$ 12,574,741	\$ 5,699,951	\$ 2,550,978	\$ 4,916,691	\$ 3,349,518	\$ 783,260	\$ 13,358,001

## Enterprise Fund Group:

601	Golf Course Fund	\$ 8,315,355	\$ 5,572,700	\$ 2,523,453	\$ 5,275,844	\$ 2,235,784	\$ 296,856	\$ 8,612,211
	Designate Equip Repl (29431)	0	0	0	0	0	0	0
602	Sewer Service Fund	50,213,526	5,516,147	4,309,697	4,857,657	1,488,971	658,490	50,872,016
	Designate Equip Repl (29431)	0	0	0	0	0	0	0
621	Ferry Service Fund	10,063,568	0	0	0	0	0	10,063,568
621.1	East End Ferry	61,440	1,247,515	871,458	1,247,515	840,761	0	61,440
621.2	West End Ferry	842,729	1,768,159	743,824	1,768,159	755,212	0	842,729

# SUMMARY ANALYSIS OF FUNDS

FY 04-05

As of December 31, 2004

FUND DESCRIPTION	Audited		Estimated Revenue	Actual Revenue	Appropriations	Expenses	FY 04-05	
	Fund Balance 6/30/2004	(a)					Estimated Net Change	Estimated Fund Balance 6/30/2005
		(a)	(b)	(c)	(d)	(e)	f = b - d	g = a - f
Total Enterprise Fund	\$ 69,496,618	\$ 69,496,618	\$ 14,104,521	\$ 8,448,432	\$ 13,149,175	\$ 5,320,728	\$ 955,346	\$ 70,451,964

## Internal Service Fund Group:

702 Central Stores Fund	\$ 6,212	\$ 899,100	\$ 269,822	\$ 700,000	\$ 307,661	\$ 199,100	\$ 205,312
703 Central Garage Fund	51,164	253,903	111,138	14,580	98,304	239,323	290,487
704 Technology Serv Fund	325,310	558,000	396,189	571,641	293,513	(13,641)	311,669
711 Worker's Comp Self Insur	(5,197,265)	1,255,470	603,067	3,710,817	933,739	(2,455,347)	(7,652,612)
712 Risk Management Fund	1,675,729	1,611,028	935,273	2,042,726	1,279,306	(431,698)	1,244,031
713 Dental Insurance Fund	(60,545)	559,882	362,379	560,000	319,692	(118)	(60,663)
715 Unemployment Insurance	42,708	30,621	15,297	31,000	21,487	(379)	42,329
Total Internal Service Fund	(\$3,156,686)	\$ 5,168,004	\$ 2,693,163	\$ 7,630,764	\$ 3,253,703	(\$2,462,760)	(\$5,619,446)

## Trust & Agency Fund Group:

458 Debt Svc for 508 84-3A	\$ 596,833	\$ 349,000	\$ 181,245	\$ 332,000	\$ 0	\$ 17,000	\$ 613,833
460 Debt Svc for 510 84-3B	219,790	113,800	45,097	210,000	0	(96,200)	123,590
801 Police/Fire Pension 1079	0	5,065,000	1,606,761	5,065,000	1,606,761	0	0
802 Police/Fire Pension 1082	0	635,000	562,353	635,000	562,353	0	0
832 Debt Svc for 512 89-1	5,888,361	3,652,000	1,829,959	2,812,118	0	839,882	6,728,243
833 Debt Svc for 513 92-1	31,440	2,963,000	0	0	0	2,963,000	2,994,440
834 Debt Svc-Marina Village	0	0	0	0	0	0	0
835 1998 Revenue Bond Debt Fd	23,584,279	1,468,005	1,829,705	2,813,469	3,839,248	(1,345,464)	22,238,815
836 1999 Revenue Bond Debt Fd	27,367,887	2,818,487	460	3,654,722	3,303,676	(836,235)	26,531,652
838 2002 Revenue Bond	0	0	0	0	0	0	0
860 Assessment District CFD#1	2,888,600	1,584,000	813,291	1,496,000	948,888	88,000	2,976,600
861 Assessment District CFD#2	411,254	179,000	116,118	178,888	133,089	112	411,366
Total Trust & Agency Fund	\$ 60,988,444	\$ 18,827,292	\$ 6,984,989	\$ 17,197,197	\$ 10,394,014	\$ 1,630,095	\$ 62,618,539
GRAND TOTAL	\$ 240,107,568	\$ 170,280,137	\$ 75,028,061	\$ 194,466,794	\$ 80,577,917	(\$24,186,658)	\$ 215,920,910

# SUMMARY ANALYSIS OF FUNDS

FY 04-05

As of December 31, 2004

FUND DESCRIPTION	Audited Fund Balance 6/30/2004 (a)	Estimated Revenue (b)	Actual Revenue (c)	Appropriations (d)	Expenses (e)	FY 04-05 Estimated Net Change f = b - d	Estimated Fund Balance 6/30/2005 g = a - f
Memo only							
Housing Authority		\$ 25,867,562		\$ 25,731,664			
Alameda Power & Telecom		<u>60,798,857</u>		<u>68,482,612</u>			
All Inclusive Total		<u>\$ 254,296,556</u>		<u>\$ 286,031,070</u>			

**CITY OF ALAMEDA**  
**MEMORANDUM**

To: Honorable Chair and  
Members of the Community Improvement Commission

From: William C. Norton  
Interim Executive Director

Date: January 19, 2005

Re: Resolution Approving Amendment to Exclusive Negotiation Agreement with MovieTECS, Inc. and Purchase Option Assignment and Assumption Agreement with MovieTECS, Inc, and Recommendation to Authorize the Execution of Said Option

---

**BACKGROUND**

The Community Improvement Commission (CIC) is moving forward with the potential development of a new multiplex cinema and parking structure. The CIC and Kyle Conner of MovieTECS, a theater developer, entered into an Exclusive Negotiating Agreement (ENA) for the development of a theater project in early 2002. The ENA was extended in October 2004 for an additional 120 days while the terms of a Disposition and Development Agreement (DDA) could be finalized.

**DISCUSSION/ANALYSIS**

Kyle Conner, the theater developer, has an option to purchase the Video Maniacs (Delanoy) property located at 2305 Central Avenue in Alameda. The Video Maniacs site is intended to be split into two parcels to accommodate a proposed new multiplex cinema and 350-space parking structure.

Mr. Conner's option purchase price is \$800,000. Mr. Conner's option expires in March 2005. Mr. Conner has requested from Delanoy that the option be extended for an additional three months. At this time, we are unsure as to whether this request will be granted. Video Maniacs currently leases and occupies a building on the Delanoy property and Longs Drugs has a license to use a portion of the Delanoy property for parking purposes. The Video Maniacs lease can be terminated by the landlord upon four (4)-months notice and payment of a \$50,000 termination fee. The Longs Drugs license can be terminated by either party with a one (1)-year notice. Mr. Conner has agreed to assign his option for the Delanoy property to the CIC so that the project can continue to move forward on the shortest development timeline possible. The acceptance of the purchase option would allow the CIC the ability to divide the parcel and continue to move forward with a design/build process for the parking structure.

Mr. Conner is requesting that if the CIC fails to move forward with the project, through no default by Mr. Conner, that the CIC agree to give to Mr. Conner an option to purchase the portion of the property that would have been used for the new multiplex cinema. The purchase price would be equal to \$50 per square foot. In addition to the option to purchase the property at \$50 a square foot, Mr. Conner would receive a termination payment equal to \$300,000, minus all of CIC's acquisition costs including the costs for a Phase II environmental report and for cleanup, itself. Prior to close of

escrow, a Phase II environmental study will be completed.

**BUDGET/FINANCIAL IMPACT**

There is no impact to the General Fund with this approval. The project funding sources have previously been approved by the CIC pledging 2003 Merged Area bond funds. The project funding sources previously approved by the CIC included the cost for the acquisition of land for the project. The full cost of the option for purchase for the Delanoy property is \$800,000 plus the \$50,000 termination fee for the Video Maniacs business.

**RECOMMENDATION**

It is recommended that the CIC: 1) adopt the Resolution Approving and Authorizing Execution of an Assignment and Assumption Agreement and First Amendment to Exclusive Negotiating Agreement between MovieTECS, Inc. and the Community Improvement Commission of the City of Alameda; and 2) direct that the option to purchase the property be exercised.

Respectfully submitted,



Leslie A. Little

Development Services Director



By: Dorene E. Soto  
Manager, Business Development Division

WCN/LAL/DES:rv

cc: Jerry Ramiza, McDonough Holland & Allen  
Michael Stamp, Attorney at Law  
Tim Kelly, Keyser Marston Associates, Inc.  
Andy Barnes, Barnes and Company

*Dedicated to Excellence, Committed to Service*

COMMUNITY IMPROVEMENT COMMISSION  
OF THE CITY OF ALAMEDA

RESOLUTION NO. \_\_\_\_\_

RESOLUTION APPROVING AND AUTHORIZING EXECUTION  
OF AN ASSIGNMENT AND ASSUMPTION AGREEMENT AND  
FIRST AMENDMENT TO EXCLUSIVE NEGOTIATING  
AGREEMENT BETWEEN MOVIETECS INC. AND THE  
COMMUNITY IMPROVEMENT COMMISSION OF THE CITY  
OF ALAMEDA

WHEREAS, the Community Improvement Commission of the City of Alameda ("Commission") is carrying out the Community Improvement Plan for the Business and Waterfront Improvement Project ("Community Improvement Project"); and

WHEREAS, the Commission and MovieTecs, Inc. ("Developer") entered into an Exclusive Negotiating Agreement, dated October 16, 2004, providing for the Commission and Developer to negotiate diligently and in good faith the terms of a Disposition and Development Agreement ("DDA") with respect to the development of a proposed high-profile theater project (the "Project") on certain real property located within the Community Improvement Project area (the "Site"); and

WHEREAS, the Site consists, in part, of that certain real property located at 2305 Central Avenue in the City of Alameda (the "Option Property"), currently owned by Peter N. Delanoy and Bettye J. Delanoy (the "Delanoys"); and

WHEREAS, Developer has entered into an Option to Purchase Agreement with the Delanoys dated March 20, 2003, in which the Delanoys granted Developer an exclusive option to purchase the Option Property, which agreement expires on March 19, 2005 (the "Option Agreement"); and

WHEREAS, the Option Property is needed in order for the Project, as contemplated, to move forward; and

WHEREAS, Developer desires to assign its rights and obligations under the Option Agreement to Commission and Commission desires to accept such assignment and assume Developer's rights and obligations thereunder; and

WHEREAS, Developer and Commission also desire to enter into a First Amendment to Exclusive Negotiating Agreement, to provide for Commission's (1) payment of a termination payment to Developer, and (2) grant to Developer an option to purchase that certain portion of the Option Property that Commission does not intend to use for a proposed public parking garage, in the event the parties are unable to reach agreement on the terms of, or fail to enter into, a DDA; and

Approved as to Form  
Chell Crane  
GENERAL COUNSEL

WHEREAS, Commission desires to authorize Commission staff to take all actions necessary to purchase the Option Property following a satisfactory due diligence investigation thereof, including Phase 2 environmental assessment.

NOW, THEREFORE, THE COMMUNITY IMPROVEMENT COMMISSION OF THE CITY OF ALAMEDA DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. The Commission hereby approves and authorizes the Executive Director to execute the Assignment and Assumption Agreement in the form attached hereto as Exhibit A, subject to minor technical or conforming changes approved by Commission Counsel.

Section 2. The Commission hereby approves and authorizes the Executive Director to execute the First Amendment to Exclusive Negotiating Agreement in the form attached hereto as Exhibit B, subject to minor technical or conforming changes approved by Commission Counsel.

Section 3. The Executive Director and Secretary of the Commission are hereby authorized and directed to take such further actions and execute such documents as are necessary to effect the acquisition of the Option Property by Commission, including, without limitation, execution of a Certificate of Acceptance.

\*\*\*\*\*

## ASSIGNMENT AND ASSUMPTION AGREEMENT

FOR VALUE RECEIVED, the undersigned, MOVIE TECS, Inc., a California corporation (the "Assignor"), hereby assigns and transfers to the COMMUNITY IMPROVEMENT COMMISSION OF THE CITY OF ALAMEDA, a public body, corporate and politic (the "Commission"), all of Assignor's right, title and interest in and to the Option to Purchase Agreement dated March 20, 2003, by and between Assignor and Peter N. Delanoy and Bettye J. Delanoy, as extended three times with a current expiration date of March 19, 2005 (the "Option Agreement"). The Option Agreement grants an option to purchase that certain real property with a street address of 2305 Central Avenue, in the City of Alameda, County of Alameda, State of California, containing 22,000 square feet of land, more or less, as more fully described in the "Legal Description of the Property" attached hereto as Exhibit A, and the improvements located thereon (the "Property"). In consideration for this assignment, upon closing for purchase of the Property, if such closing occurs, Commission shall reimburse Assignor, for (i) Assignor's deposits required by the Option Agreement, and (ii) Assignor's appraisal fee and out of pocket costs incurred by third parties in connection with the Option Agreement, as substantiated by invoices submitted by Assignor (the "Reimbursement"). In no event shall the Reimbursement exceed \$26,500.

This Assignment is made in order to effectuate the terms of an Exclusive Negotiating Agreement dated October 16, 2004, by and between Assignor and Commission, as amended by a First Amendment to Exclusive Negotiating Agreement dated February \_\_, 2005 (collectively, the "ENA").

Assignor represents and warrants to Commission that the Option Agreement is unconditionally assignable to Commission, and that no previous pledge, transfer or assignment of Assignor's rights or interest in or to the Option Agreement has been made.

This Assignment shall be governed by the laws of the State of California, without regard to its choice of laws or provisions. Assignor consents to the jurisdiction of any federal or state court within the State of California having proper venue for the filing and maintenance of any action arising hereunder and agrees that the prevailing party in any such action shall be entitled, in addition to any other recovery, to reasonable attorneys' fees and costs.

Except as otherwise limited herein, this Assignment shall be binding upon and inure to the benefit of the heirs, legal representatives, assigns and successors-in-interest of Assignor and Commission. Commission's rights under this Assignment may not be assigned or transferred to any other person or entity during the Negotiation Period, as defined in the ENA, or during such period as may be agreed upon by the parties in a Disposition and Development Agreement being negotiated between the parties.

Exhibit A and the Consent to Assignment are attached hereto and incorporated herein by reference.

*[Signatures on following page]*



Executed by the Assignor on January 26, 2005.

ASSIGNOR:

MOVIETECs, a California corporation

By: [Signature]

Kyle Connor

Its: President

Commission hereby accepts the foregoing assignment and assumes the obligations of the Optionee under the Option Agreement.

Executed by Commission on February \_\_, 2005.

COMMISSION:

COMMUNITY IMPROVEMENT COMMISSION  
OF THE CITY OF ALAMEDA, a public body  
corporate and politic

By: \_\_\_\_\_

Name: \_\_\_\_\_

Its: \_\_\_\_\_

Approved as to Form  
CITY ATTORNEY  
By: [Signature]  
Assistant City Attorney

## **EXHIBIT A**

### **LEGAL DESCRIPTION OF THE PROPERTY**

#### **PARCEL ONE:**

Commencing at the point of intersection of the northern line of Central Avenue, as the same now exists since the widening thereof, with the eastern line of Oak Street; running thence easterly along said line of Central Avenue, one hundred feet; thence at right angles northerly one hundred sixty-seven feet, six inches; thence at right angles westerly one hundred feet to the eastern line of Oak Street; and thence southerly among said last named line one hundred and sixty-seven feet, six inches to the point of commencement.

Being portion of Lots numbered 5 and 6 in Block 49, as said Lots and Block are delineated and so designated upon that certain "map of Lands Adjacent to the Town of Encinal, Alameda County, Cal., Surveyed by Jas. T. Stratton, May 1<sup>st</sup>, 1867," filed May 28, 1867, in Liber 19 of Maps, at Page 53, in the Office of the County Recorder of Alameda County.

Being Assessor's Parcel Number: 071-0203-016

#### **PARCEL TWO:**

Portion of Lots 5 and 6, in Block 49, as said Lots and Block are shown on the "Map of Lands Adjacent to the Town of Encinal, Alameda County, Cal. Surveyed by Jas. T. Stratton, May 1, 1867" filed May 28, 1867, in Book 19 of Maps, at Page 53, in the Office of the County Recorder of Alameda County, described as follows:

Beginning at a point on the Southeastern line of Oak Street, as shown on said map, distant thereon northeasterly 157.50 feet from the northeastern line of Central Avenue, as said avenue now exists since the widening thereof, and running thence along said line of Oak Street northeasterly 50 feet; thence southeasterly parallel with said line of Central Avenue, 100 feet; thence southwesterly parallel with said line of Oak Street 50 feet; thence northwesterly parallel with said line of Central Avenue, 100 feet to the point of beginning.

Being Assessor's Parcel Number: 071-0203-017

Exhibit A

## **FIRST AMENDMENT TO EXCLUSIVE NEGOTIATING AGREEMENT**

This FIRST AMENDMENT TO EXCLUSIVE NEGOTIATING AGREEMENT ("Amendment") is entered into this \_\_\_\_ day of \_\_\_\_\_, 2005, by and between the COMMUNITY IMPROVEMENT COMMISSION OF THE CITY OF ALAMEDA, a public body, corporate and politic ("CIC"), and MOVIE TECS, a California corporation ("Developer").

### Recitals

A. On October 16, 2004, CIC and Developer entered into that certain Exclusive Negotiating Agreement ("ENA") providing for CIC and Developer to negotiate diligently and in good faith the terms of a DDA (as defined in ENA) with respect to the redevelopment of a high-profile theater project on the Site (as defined in ENA) located at the Northeast corner of Central Avenue and Oak Street.

B. The Site consists, in part, of that certain improved real property located at 2305 Central Avenue in the City of Alameda ("Property"), currently owned by Peter N. Delanoy and Bettye J. Delanoy ("Delanoys"). The building located on the Property is currently leased to Video Maniacs and a portion of the parking lot is subject to a parking license with Long's Drugs. The Video Maniacs lease and the Long's Drugs parking license are referred to collectively herein as the "Leasehold Interests."

C. Developer has entered into an Option to Purchase Agreement with the Delanoys dated March 20, 2003, pursuant to which the Delanoys have granted Developer an exclusive option to purchase the Property ("Option Agreement").

D. The Property is needed in order for the Project, as contemplated, to move forward and Developer desires to assign its rights under the Option Agreement to CIC (the "Assignment"). Concurrently herewith, Developer and CIC are entering into an assignment and assumption agreement providing for Developer's assignment to CIC of Developer's rights and obligations under the Option Agreement.

E. Subject to the conditions precedent described herein, Developer and CIC desire to provide for CIC's payment of a Termination Payment to Developer and grant to Developer of an option to purchase that certain real property generally depicted as the "Remainder Piece" in Exhibit A attached hereto, if CIC and Developer are unable to negotiate the terms of a DDA or if a DDA is not approved by the Commission Board. The Remainder Piece will comprise that portion of the Property that CIC does not require for the proposed construction of a public parking garage (the "Parking Garage Piece"). The Parking Garage Piece is generally depicted in Exhibit A attached hereto.

### Agreements

Now, therefore, CIC and Developer hereby agree as follows:

1. Conditions Precedent to Termination Payment and Remainder Piece Option.  
CIC's obligation to pay the Termination Payment to Developer as described in Section 2 below,

and the effectiveness of Developer's option to purchase the Remainder Piece from CIC as provided in Section 3 below, shall be expressly conditioned upon satisfaction of each of the following conditions precedent:

- (a) CIC, in its sole and absolute discretion, shall have closed escrow for purchase of the Property from the Delanoys pursuant to the Option Agreement.
- (b) CIC shall have reparcelized the Property into two separate parcels consisting of the Parking Parcel and the Remainder Piece, as generally depicted on Exhibit A attached hereto.
- (c) CIC shall have terminated the Leasehold Interests pursuant to the terms of the lease and license agreements evidencing such Leasehold Interests.
- (d) CIC and Developer shall have failed to agree upon the terms of and enter into a DDA prior to the expiration of the Negotiation Period (as defined in ENA), as may be extended by the parties.
- (e) Developer shall have delivered to CIC a written release in a form acceptable to CIC legal counsel waiving and releasing any claims that Developer may have against CIC arising out of ENA and a quitclaim deed in favor of CIC quitclaiming and releasing all interests that Developer may have in any and all portions of the Site other than the Property.
- (f) Developer shall not be in default under ENA.

Assuming CIC purchases the Property in accordance with (a) above, CIC will use diligent, good faith efforts to satisfy conditions (b) and (c) above promptly following the close of escrow.

2. Termination Payment. Subject to satisfaction of each of the conditions set forth in Section 1 above, within 15 business days following expiration of the Negotiation Period, CIC shall pay Developer a Termination Payment, which shall be equal to the difference of \$300,000.00 less CIC's closings costs in connection with the acquisition of the Property from the Property Owner (including all escrow and recording fees and the premium paid by CIC for any title insurance and transfer taxes) ("Closing Costs") less CIC's out-of-pocket costs to complete a Phase 2 environmental assessment report of the Property ("Environmental Costs") less CIC's out-of-pocket costs to remediate any hazardous materials that may be located on or under the Property following CIC's acquisition thereof from Delanoys ("Remediation Costs"). The Closing Costs, Environmental Costs and Remediation Costs shall collectively be referred to as "CIC's Costs." In the event that CIC recovers any Remediation Costs from responsible third parties or any state clean-up fund, the amount of such recovery shall be credited against CIC's costs of remediating such hazardous materials.

3. Remainder Piece Purchase Option. Subject to the satisfaction of each of the conditions set forth in Section 1 above, Developer shall have the option to purchase the Remainder Piece for the Purchase Price (as defined in Section 3(b) below). The precise boundaries and square footage area of the Remainder Piece shall be determined by CIC in connection with its planning process for development of the proposed public parking garage

project and shall be as generally depicted in Exhibit A, attached hereto. Developer may exercise the option to purchase by delivering written notice of exercise ("Exercise Notice") to CIC at any time prior to the date which is 60 days following expiration of the Negotiation Period. Developer's purchase of the Remainder Piece shall be on the following terms and condition:

(a) Access. At any time following expiration of the Negotiation Period, Developer shall have access to enter the Remainder Piece to perform any and all due diligence, including any environmental investigations, which Developer desires in connection with the potential acquisition of the Remainder Piece. Developer shall enter into a right of entry agreement in form reasonably satisfactory to CIC counsel prior to entering upon the Remainder Piece.

(b) Purchase Price. The Purchase Price for the Remainder Piece ("Purchase Price") shall be equal to the product of (i) the difference of \$50 minus the CIC's Costs divided by the square footage of the Property, multiplied by (ii) the square footage of the Remainder Piece.

(c) Escrow. The sale shall be consummated through an escrow to be opened within 10 days after the Exercise Notice has been given to CIC. The parties shall execute all documents required by the escrow holder as long as they are consistent with the provisions of this Section 3. Escrow shall close within 45 days after the Exercise Notice has been delivered. Escrow shall be deemed to have closed on the date the grant deed is recorded.

(d) As-Is. The conveyance of the Remainder Piece shall be on an "As-Is" condition and basis, with all faults.

(e) Title to Remainder Piece. CIC shall deliver to escrow holder an executed standard form grant deed in recordable form conveying fee title to the Remainder Piece subject to all matters of record. CIC shall not create any new encumbrances or exceptions to title not existing as of the date CIC purchases the Property.

(f) Title Insurance. At the close of escrow, escrow holder must be prepared to issue an ALTA Standard Coverage Owner's Policy of Title Insurance in the amount of the Purchase Price insuring title to the Remainder Piece vested in Developer subject to all matters of record as described in Section 3(e) ("Title Policy").

(g) Closing Costs. The cost of the Title Policy shall be paid by Developer. All escrow charges and all other closing costs shall be paid in accordance with Alameda County custom.

(h) No Assignment. Developer's option to purchase the Remainder Piece may not be assigned or transferred to any other person or entity, except for a transfer or assignment of the option to an Affiliate of Developer (as defined below) in connection with which such Affiliate of Developer assumes the rights and obligations of Developer under the option pursuant to an assignment and assumption agreement in a form reasonably acceptable to CIC's legal counsel. "Affiliate of Developer" means an entity or entities in which Developer or Kyle Conner, the controlling shareholder of Developer, retains a beneficial economic interest and in which Developer or Kyle Conner retains effective management and control of the transferee

entity or entities, subject only to major events requiring the consent or approval of the other owners of such entity.

4. Assignment of Delanoy Option Agreement. The effectiveness of this Amendment is contingent upon Developer's assignment of the Option Agreement to CIC.

5. Amendment to Section 7 of the ENA. Section 7 of the ENA is hereby deleted in its entirety and restated as follows:

"The Developer shall directly pay all costs of due diligence associated with the development of the site, including but not limited to, all attorney fees, all environmental investigation costs, all engineering costs, all architect and/or design costs, all traffic studies, all parking studies, all soils investigation costs, and all estimating costs, ordered, directed, or initiated by Developer and associated with the Development of the new Cineplex site. Developer is not responsible for costs previously incurred and paid by the CIC for work performed by Michael Stanton Architecture."

6. Capitalized Terms. Capitalized terms used herein and not otherwise defined shall have the meanings given to such terms in ENA.

7. Exclusive Negotiating Agreement in Effect. Developer and CIC acknowledge and agree that ENA, except as amended by this Amendment, remains unmodified and in full force and effect in accordance with its terms.

8. Severability. If any term, provision, condition or covenant of this Amendment or its application to any party or circumstances shall be held, to any extent, invalid or unenforceable, the remainder of this Amendment, or the application of the term, provision, condition or covenant to persons or circumstances other than those as to whom or which it is held invalid or unenforceable, shall not be affected, and shall be valid and enforceable to the fullest extent permitted by law.

IN WITNESS WHEREOF, the undersigned have entered into this Amendment as of the date first written above.

CIC:

COMMUNITY IMPROVEMENT  
COMMISSION OF THE CITY OF ALAMEDA,  
a public body, corporate and politic

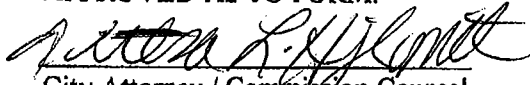
Dated: \_\_\_\_\_, 2005

By: \_\_\_\_\_  
Executive Director

ATTEST:

\_\_\_\_\_  
Commission Secretary

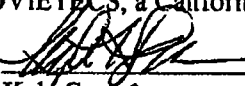
APPROVED AS TO FORM:

  
\_\_\_\_\_  
City Attorney / Commission Counsel

Dated: January 20, 2005

DEVELOPER:

MOVIETECs, a California corporation

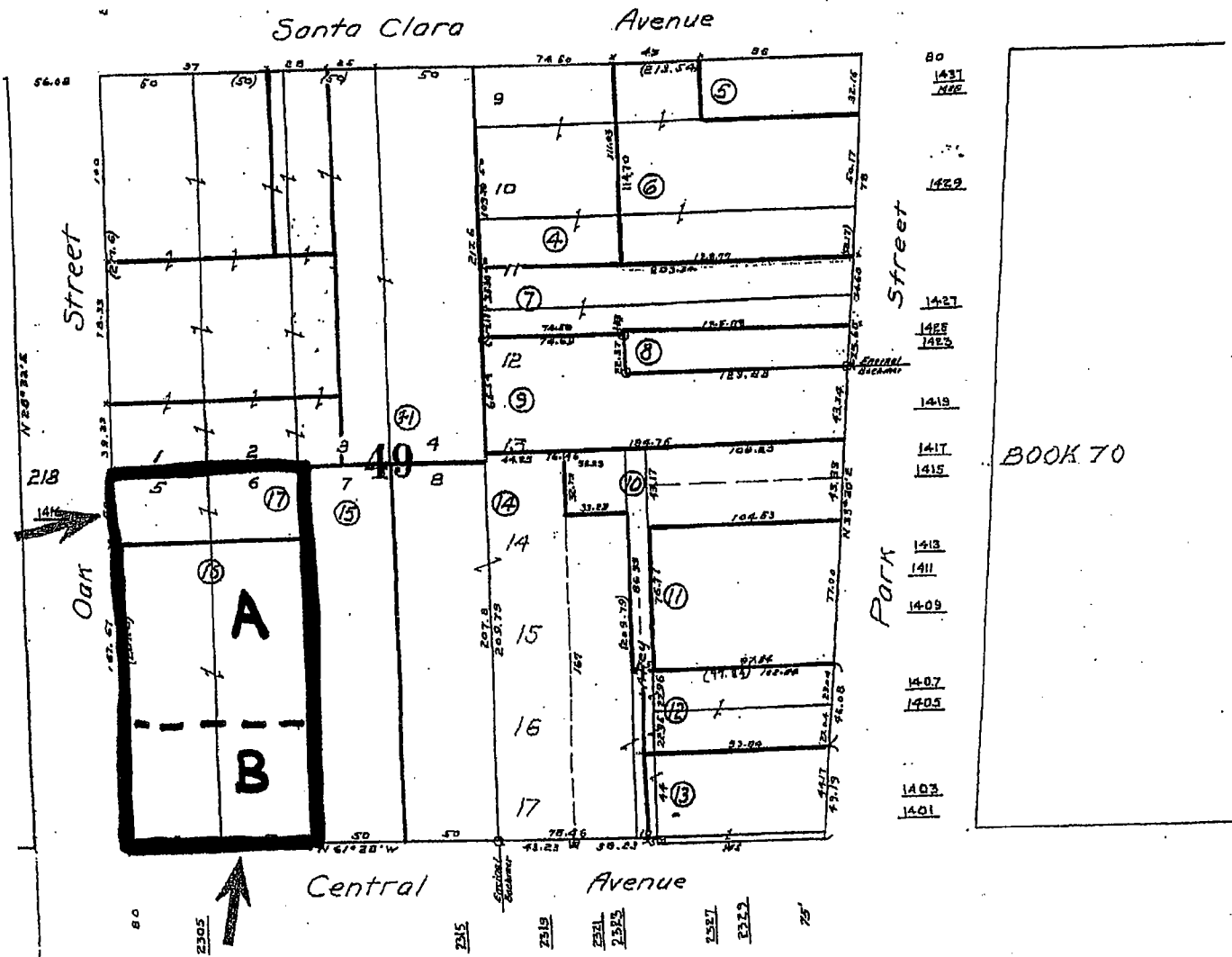
By:  \_\_\_\_\_

Kyle Connor

Its: President \_\_\_\_\_

# EXHIBIT A

## Property Diagram



- A. Parking Lot Portion
- B. Remainder Piece



I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Community Improvement Commission of the City of Alameda in Special Community Improvement Commission meeting assembled on the 1<sup>st</sup> day of February, 2005, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

IN WITNESS, WHEREOF, I have hereunto set my hand and affixed the official seal of said Commission this \_\_\_\_\_ day of \_\_\_\_\_, 2005.

---

Lara Weisiger, Secretary  
Community Improvement Commission

---

Beverly Johnson, Chair  
Community Improvement  
Commission

## *Proclamation*

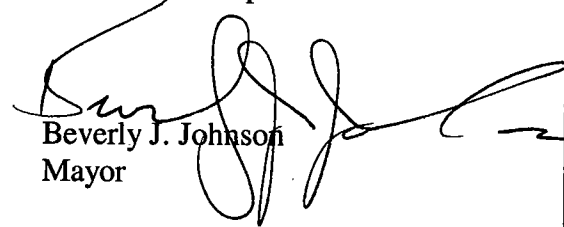
- Whereas,** The City of Alameda, the State of California and our nation continue to confront the challenges of violence in the form of hate crimes, brutality, domestic abuse and other forms of inhumanity; and
- Whereas,** violence in actions, attitudes and words is pervasive in our society; and
- Whereas,** an awareness of nonviolent principles and practices is a powerful way to heal and transform our lives and communities, to recognize the dignity and worth of every human being, and to promote peace and harmony among all people regardless of race, color, culture, class, language, faith, age, gender, sexual orientation or other apparent difference; and
- Whereas,** the principles and practices of nonviolence were epitomized in the lives and work of Mahatma Mohandas Karmachand Gandhi, and Dr. Martin Luther King, Jr.; and
- Whereas,** an international campaign has been organized as the Season for Nonviolence, to extend from January 30th through April 4th of each year, the anniversaries of the assassinations of Mahatma Gandhi and Dr. King and began in 1998 with observances at the United Nations and in hundreds of cities and locales around the world; and
- Whereas,** during the 2005 Season for Nonviolence, groups throughout the world will sponsor projects and programs to create greater awareness and consciousness of the principles and practices of nonviolence; and
- Whereas,** in Alameda we have a great opportunity to focus our hearts and minds on nonviolence in recognition and celebration of a Season for Nonviolence.

Now therefore be it resolved, that I, Beverly Johnson, Mayor of the City of Alameda, do hereby declare the period of January 30, 2005 to April 4, 2005 as

### *A Season for Nonviolence*

in the City of Alameda and encourage all citizens to participate in this celebration by being nonviolent in their actions and interactions with each other in our homes, schools and society, and to support programs and projects conducted in the spirit of nonviolence.

Beverly J. Johnson  
Mayor



**CITY OF ALAMEDA**  
Memorandum

To: Honorable Mayor and  
Councilmembers

From: William C. Norton  
Interim City Manager

Date: January 24, 2005

Re: New Main Library Project Update

Attached to this memorandum is the February 1, 2005, Library Construction Report.

Respectfully submitted,

William C. Norton  
Interim City Manager

By:

A handwritten signature in black ink, appearing to read "S. Hardie", written over a horizontal line.

Susan Hardie  
Library Director

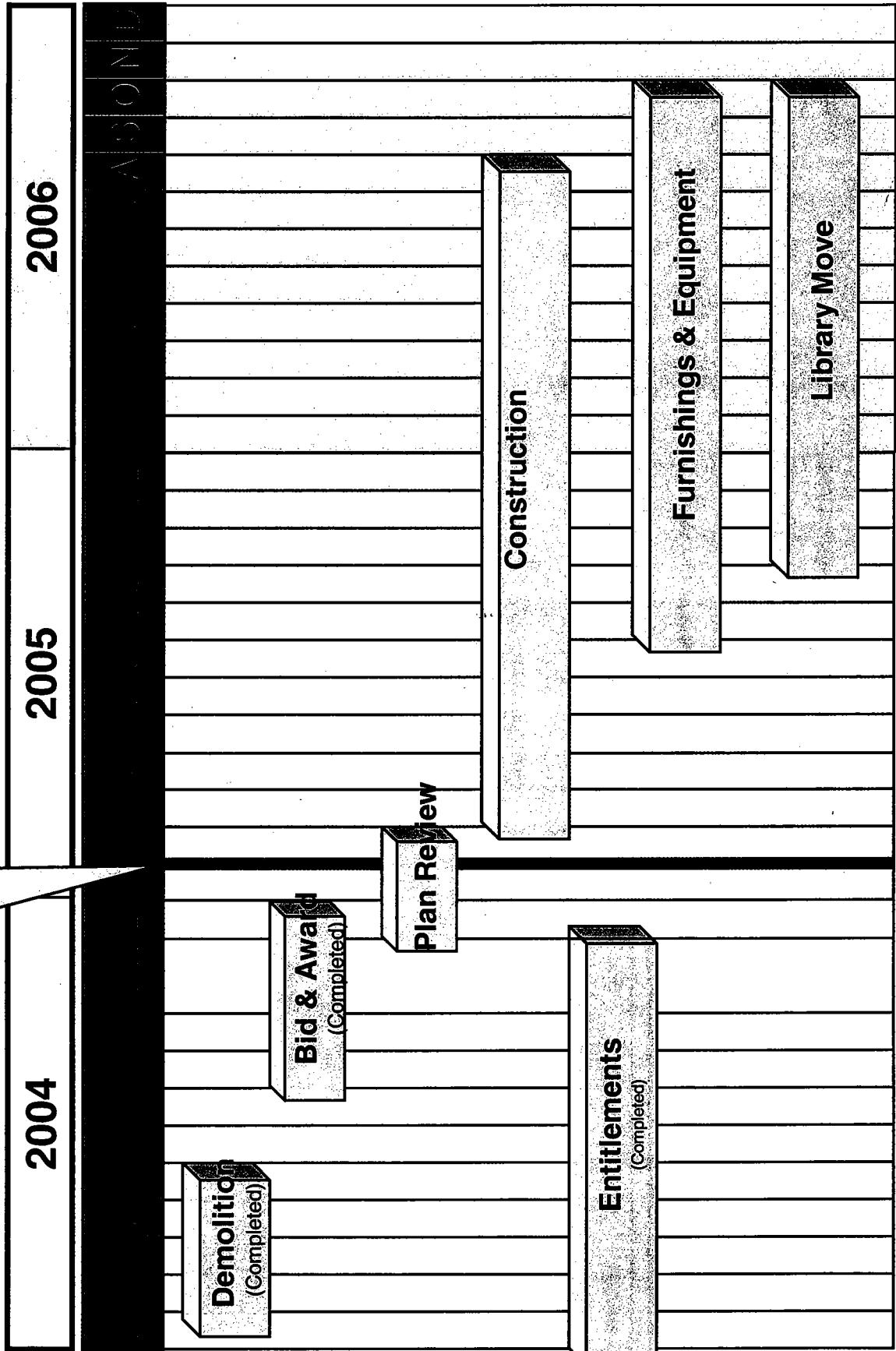
Attachment

# **Library Construction Report**

February 1, 2005

# Library Project Timeline

Status as of  
February 1,  
2005



### **Construction**

- On December 21, 2004, Council approved a contract with S.J. Amoroso in the amount of \$17.4 million.
- Notice to Proceed will be issued no later than February 28; construction will begin March 1 (weather-dependent).
- The Library webcam has been installed; it will be activated on March 1 and will operate throughout the project. It is available on the City website.
- The Groundbreaking event will be held at 1:00 p.m. on Tuesday, March 1.

### **Entitlements**

- On December 13, 2004, the Planning Board approved the final entitlements including a revised parking plan. The entitlements process is complete.
- Staff has submitted an amended grant application to the Office of Library Construction. The OLC is in the process of approving the amended grant with the revisions to the parking plan and the budget.

### **LEED**

- All LEED VE items have been reincorporated into the project.
- A grant application has been submitted to Alameda Co. Waste Management Authority for \$75,000. Our application will be considered by the Program Committee on February 8, and by the full ACWMA Board on February 23. If awarded, the grant will substantially offset the cost of LEED commissioning.

### **Furnishings and Equipment Procurement**

- Planning process for FF&E begins August, 2005.

### **Library Move**

- Planning process for move begins October, 2005.

### **Library Opening**

- The opening of the Main Library is tentatively scheduled for October, 2006.

### **Budget**

- The budget report, including supplemental funding sources, is attached.

### **Detailed Project Schedule**

- To coincide with the beginning of construction, a Detailed Project Schedule, prepared by Consolidated CM, is attached. If and when there are major revisions to the schedule, you will be provided with an updated copy.

**City of Alameda Library Construction Projects**  
**Inception to date through the month of December 2004**

	Revenue/Expenditures	
	<u>Original Budget</u>	<u>to date</u>
<b>Sources of Funds</b>		<b>Balance Available</b>
State Grant	\$15,487,952.00	\$2,079,520.00
Measure O	10,600,000.00	1,644,722.00
Contributions	10,000.00	5,000.00
Supplemental Funding	0.00	0.00
		\$13,408,432.00
		8,955,278.00
		5,000.00
		3,545,297.00
<b>Sources Subtotal</b>	<b>\$26,097,952.00</b>	<b>\$3,729,242.00</b>
		<b>22,368,710.00</b>
<b>Uses of Funds</b>		
	<b>23,827,619.00</b>	<b>4,298,286.00</b>
		<b>19,529,333.00</b>
<b>Balance Available</b>	<b>\$2,270,333.00</b>	<b>(\$569,044.00)</b>
		<b>\$2,839,377.00</b>

**UNAPPROVED MINUTES**  
MINUTES OF THE SPECIAL CITY COUNCIL MEETING  
TUESDAY- -JANUARY 18, 2005- -6:30 P.M.

Acting Mayor Gilmore convened the Special Meeting at 6:33 p.m.

Roll Call - Present: Councilmembers Daysog, deHaan,  
Matarrese, and Acting Mayor Gilmore - 4.

Absent: Mayor Johnson - 1.

The Special Meeting was adjourned to Closed Session to consider:

(05- ) Conference with Labor Negotiators; Agency Negotiators:  
Human Resources Director and Craig Jory; Employee Organizations:  
Management and Confidential Employees Association and Police  
Association Non-Sworn.

Following the Closed Session, the Special Meeting was reconvened  
and Acting Mayor Gilmore announced that the Council gave directions  
to labor negotiators.

Adjournment

There being no further business, Acting Mayor Gilmore adjourned the  
Special Meeting at 7:15 p.m.

Respectfully submitted,

Lara Weisiger  
City Clerk

The agenda for this meeting was posted in accordance with the Brown  
Act.



## **UNAPPROVED MINUTES**

### MINUTES OF THE REGULAR CITY COUNCIL MEETING

TUESDAY- -JANUARY 18, 2005- -7:30 P.M.

Acting Mayor Gilmore convened the Regular Meeting at 7:45 p.m.

Roll Call - Present: Councilmembers Daysog, deHaan, Matarrese,  
and Acting Mayor Gilmore - 4.

[Note: Mayor Johnson was present via teleconference from The Capital Hilton, 16<sup>th</sup> and K Street NW, Washington DC for the Resolution Opposing the Proposed Casino [paragraph no. 05-\_\_].

Absent: Mayor Johnson - 1.

### AGENDA CHANGES

(05-\_\_) Councilmember Matarrese moved that the Public Hearing to consider an Appeal of J. Barni [paragraph no. 05-\_\_]; the Public Hearing to consider amendment to Zoning Map [paragraph no. 05-\_\_]; and, Public Hearing to consider an Appeal of Rita Mohlen [paragraph no. 05-\_\_] be moved to the Consent Calendar.

Councilmember Daysog seconded the motion, which carried by the following voice vote: Ayes: Councilmembers Daysog, deHaan, Matarrese and Acting Mayor Gilmore - 4. [Absent: Mayor Johnson - 1.]

(05-\_\_) Councilmember deHaan moved that discussion regarding options for relocation assistance legislation [paragraph no. 05-\_\_] be heard first on the Regular Agenda.

Councilmember Daysog seconded the motion, which FAILED by the following voice vote: Ayes: Councilmembers Daysog and deHaan -2. Noes: Councilmember Matarrese and Acting Mayor Gilmore - 2. [Absent: Mayor Johnson - 1.]

### PROCLAMATIONS, SPECIAL ORDERS OF THE DAY AND ANNOUNCEMENTS

(05-\_\_) Proclamation declaring January as Blood Donor Month in the City of Alameda.

Acting Mayor Gilmore read and presented the proclamation to Beth Wren, Donor Recruitment Account Manager.

Ms. Wren thanked the Council for their support of the Red Cross and

announced that there will be a blood drive on Friday in San Leandro at the Creekside Community Church.

Michael John Torrey, Alameda, commented on the importance of donating blood.

(05-\_\_\_\_) Presentation by Peter Simon, Dean, College of Alameda and Liz Sullivan, Organizer with Oakland Community Organizations regarding the proposed Oakland Aviation High School at the Oakland Airport. **Withdrawn by presenters.**

(05-\_\_\_\_) Presentation of letters of appreciation to members of the Alameda Police Department by NC1 Danielle Carter, Recruiter, Naval Reserve Recruiting Area Pacific.

NC1 Randy Montrose, Recruiter in Charge, Naval Reserve Recruiting Area Pacific, presented letters of appreciation to members of the Alameda Police Department; Sergeant Jill Ottaviano, Alameda Police Department, accepted the letters of appreciation on behalf of the Alameda Police Department.

#### CONSENT CALENDAR

Councilmember Matarrese moved approval of the Consent Calendar, including continuing the Public Hearing to consider an Appeal of J. Barni to February 1; continuing the Public Hearing to consider Amendment to Zoning Map to February 1; and that the Public Hearing to consider an Appeal of Rita Mohlen be noticed for a later date.

Councilmember Daysog seconded the motion, which carried by unanimous voice vote - 4. [Absent: Mayor Johnson - 1.]

[Items so enacted or adopted are indicated by an asterisk preceding the paragraph number.]

(\*05-\_\_\_\_) Minutes of the Special Joint City Council and Community Improvement Commission (CIC) Meeting of December 21, 2004; the Special and Regular City Council Meetings held on January 4, 2005; and the Special Joint City Council, CIC and Alameda Reuse and Redevelopment Authority Meeting of January 5, 2005. Approved.

(\*05-\_\_\_\_) Ratified bills in the amount of \$3,049,755.31.

(05-\_\_\_\_) Public Hearing to consider an Appeal of the Planning Board's approval of Design Review, DR04-0101, to allow a 5,300 square foot new commercial building (veterinary hospital) to replace approximately 2,000 square feet of commercial buildings, with a parking lot expansion to 23 spaces; **and adoption of related**

**resolution.** The property is located at 1410 Everett Street in the C-C Community Commercial and R-5 Hotel Residential Zoning Districts. Appellant: J. Barni. **Continued to February 1, 2005.**

(\*05-\_\_\_\_) Public Hearing to consider Amendment to Zoning Map to rezone approximately 7,800 square feet (1/5 acre) at 1410 Everett Street, APN 070-170-15, from R-5 Hotel Residential to C-C Community Commercial; and

(\*05-\_\_\_\_ A) Introduction of Ordinance Amending the Zoning Map to Designate APN 070-170-15, Approximately One-Fifth Acre, from R-5 Hotel Residential to C-C Community Commercial, on Central Avenue at Everett Street. **Continued to February 1, 2005.**

(\*05-\_\_\_\_) Public Hearing to consider an Appeal of the Planning Board's denial of Variances, V04-0006, 0007, 0008 and 0010, and denial of Major Design Review, DR04-0026, for all development projects at 3017 Marina Drive; **and adoption of related resolution.** The site is located within an R-1, Single-Family Residential Zoning District. The development project includes expansion of the residence into the estuary and installation of rear yard decks. Approval is being sought for the following: 1) Variance to AMC Subsection 30-4.1(d)(3) (Maximum Main Building Coverage exceeding 48%); 2) Variance to AMC Subsection 30-4.1(d)(7) and Section 30-2 (Rear Yard) because the building extends across the rear property line into the estuary; 3) Variance to AMC Subsection 30-5.7(a) (Roof Eaves) and 30-5.7(d) (Bay Windows) because the roof eaves above the bay windows encroach to within 3 feet from the side property line and bay windows are not permitted to encroach into side yards; 4) Variance to AMC Subsection 30-5.7(c)(1) (Rear Yard), Subsection 30-2 (Definitions) (Yard-Rear) and Subsection 30-4.1(d)(7) (Rear Yard) because decks over 36-inches in height extend into the required side and rear yard setbacks; 5) Variance to AMC Subsection 30-5.14(c) (Barrier Heights) because the windscreens around the patios exceed the maximum permitted 8-foot height. The Planning Board found that the Variance for the bay window encroachment be withdrawn because encroachment is in compliance, subject to Design Review approval. Applicant/Appellant: Rita Mohlen. **To be noticed for a later date.**

#### REGULAR AGENDA ITEMS

(05-\_\_\_\_) Resolution No. 13811, "Opposing the Proposed Lower Lake Rancheria-Koi Nation Casino in the City of Oakland." Adopted.

Michael John Torrey, Alameda, stated that it is important to make sure that the Rancheria-Koi Nation does not get the land trust.

Melody Marr, Alameda Chamber of Commerce, stated that the Chamber supports the Resolution; submitted a packet of information from the Chamber's Town Hall Meeting.

Mayor Johnson stated that the Council needs to send a strong message in support of the Resolution opposing the Rancheria-Koi Nation proposed casino; Alameda's vote, along with the City of San Leandro, Alameda County, and the City of Oakland, will send a strong message to the Bureau of Indian Affairs; stated she had the opportunity to speak with Congressman Stark and that he will support Alameda in their efforts.

Councilmember Matarrese stated that the casino proposal is not good for Alameda, the adjoining wildlife refuge, the City of Oakland and is a false economy; that he would oppose any casino by any tribe in any urban area; he hopes that there is unanimous support of the Resolution.

Councilmember Matarrese moved adoption of the Resolution.

Councilmember deHaan seconded the motion.

Under discussion, Councilmember Daysog stated that he joins his colleagues in opposing the casino; Council should consider joining the City of Oakland in pursuing legal issues.

Mayor Johnson stated that she has spoken to the Interim City Manager and meetings have already taken place; Alameda is working with San Leandro to jointly respond to the environmental documents; staff is working with the City of Oakland; Alameda County should be included in pooling resources to save money in the battle opposing the casino.

Councilmember Daysog stated that there should be an amendment to the Resolution which would include directing the City Attorney to work with colleagues in the surrounding jurisdictions to actively oppose the proposed casino.

Mayor Johnson stated that the Resolution should be very strong, clear and precise regarding Alameda's position on the casino; that she would prefer to give separate direction to staff to work with the surrounding communities and Alameda County.

Acting Mayor Gilmore inquired whether Councilmember Daysog was amicable to giving staff direction, to which Councilmember Daysog

responded in the affirmative.

Councilmember deHaan stated that he commends the Council in taking the lead; the matter will be an uphill push involving federal regulations.

Councilmember Daysog stated that he opposes the proposed casino for a number of reasons, including crime and the urban planning impacts on Alameda and other cities; the proposed casino is only one of a wave of casinos to come which are inappropriate for the area.

Councilmember deHaan stated that the Oakland City Council wanted to ensure that Alameda has no desire to have a casino.

On the call for the question, the motion carried by unanimous voice vote - 5.

(05-\_\_\_\_) Public Hearing on Housing and Community Development needs for Community Development Block Grant Annual and Five-Year Plans.

The Community Development Manager gave a brief presentation on the housing and community development needs.

Councilmember Daysog requested an Off Agenda Report update on the Section 8 funding.

Jim Franz, American Red Cross, urged the Council to encourage the continuation of a balance of service provisions that provide a safety net in the community.

Hugh Cavanaugh, Alameda Food Bank, stated there has been a 50% growth in the past three years and that he expects the growth to continue over the next few years.

Steven Currie, Social Services Human Relations Board (SSHRB), read a letter from SSHRB encouraging the Council to continue the safety net services and programs that empower and support residents' efforts toward self sufficiency.

Councilmember Matarrese thanked the Social Services Human Relations Board for their work; stated that he looked forward to receiving the Board's recommendations.

(05-\_\_\_\_) Report regarding Corrective and Preventive Plan in response to the Memorandum on Internal Control Structure.

Acting Mayor Gilmore stated that the matter was being discussed because Council requested staff to respond to questions resulting

from the City's annual audit.

Councilmember Matarrese requested information on the amount of the fund balance deficit; inquired whether the list of items in the audit recommendation regarding the budget represents surplus or deficit.

The Finance Director responded that she would provide the information to Council.

Councilmember Matarrese stated that he would like to have the requested information coordinated with the budget information provided in the first week of February.

Acting Mayor Gilmore stated that the City has become dependant on Information Technology services; system failure would result in countless hours of lost productivity; Council should carefully review the costs of addressing the issue and prioritize accordingly.

Councilmember Daysog stated that the Plan makes a lot of the internal mechanisms of the City transparent; requested information on the debt reserve compliance issues.

Councilmember deHann inquired whether bonds are typically refinanced without the qualification process.

The Finance Director responded there would be a competitive bid process if a bond is straight forward and uncomplicated; complicated bonds would be negotiated; the underwriters would respond to the Request for Proposal (RFP) stating what could be done at what price; staff would then recommend a selection to the governing body.

Councilmember Daysog requested that the bond bidding process be placed on a future agenda for discussion; stated that it is important for Council to be involved in the bidding of bonds and in the decision not to bid.

Councilmember Matarrese stated that the City's retirement and health benefit costs have increased dramatically; the City's Public Employee Retirement System (PERS) contribution increased 615% from 2002 to 2004.

(05- ) Discussion regarding options for relocation assistance legislation and a temporary moratorium on all new construction, demolition and condominium conversion in the "West End Atlantic Corridor Area" (bounded by Webster Street, Main Street, Pacific

Avenue and Ralph J. Appezzato Memorial Parkway).

The Interim City Manager provided a brief outline of the Harbor Island Apartment eviction process and staff's coordinating efforts to financially help the remaining tenants move.

Acting Mayor Gilmore stated that the Council would not be taking action tonight; public testimony would be taken and the matter would be continued to the February 1, 2005 City Council Meeting; the two meeting nights constitute one meeting; stated speakers can speak at tonight's meeting or on February 1, but not at both.

Proponents:

Regina Tillman, Alameda; Steven Garner, Alameda; Frank Skiles, Alameda; Gretchen Lipow, Alameda; Ron Salsig, Alameda; Wendy Horikoshi, Alameda; Janet Gibson, Alameda Unified School District; Reginald James, Alameda; Eve Bach, Alameda; Carl Halpern, Alameda; Mary Green Parks, Alameda.

Opponents:

Dominic Pasanisi, Alameda; Barbara Kerr, Alameda; Fern Wallace, Alameda; Bernie Fitzgerald, Alameda; Melinda Samuelson, Alameda; Steven Edrington, Alameda [submitted handout]; Carol Martino, Realty World Martino Associates; John Sullivan, San Leandro; Kathy Lautz, Apartment Owners Association; Thomas S. Cooke, Manager, Bonanza Apartments; Carmen Lasar, Alameda; and, Monica Getten, Alameda.

Councilmember Matarrese requested that the City Attorney provide an analysis of existing State law which might overlap with the proposed ordinance, particularly landlord and tenant relationships; stated that there is plenty of State law protecting individual tenants in contracts with landlords; he is concerned that there is not much protection for the community; there is significant impact on the community and the schools when owners choose to wipe out a large complex; the matter is not about rent control; he has never supported rent control, which has always been a failure; there has never been a complaint about rent being too high, only complaints that rent is too high for the services not being delivered.

Acting Mayor Gilmore requested information on how many properties have 40 units or more and the total number of units in the "West End Atlantic Corridor Area", and requested staff to provide information on how the ordinance would work in the absence of rent control.

(05-\_\_\_\_) Ordinance No. 2934, "Amending the Alameda Municipal Code by Amending Subsection 3-28.9 (Payment In-Lieu of Taxes -PILOT); Adding a New Subsection 3-28.10 (Return on Investment in Enterprise Funds) of Section 3-28 (Payment of Taxes) of Chapter III (Finance and Taxation) and Adding a New Subsection 18-4.10 (Exemptions) of Section 18-4 (Sewer Service Charge) of Article I (Sewers) of Chapter XVIII (Sewer and Water)." Finally Passed.

Councilmember Matarrese stated the Ordinance provides some hope to close the gap in the budget shortfall; moved Final Passage of the Ordinance.

Councilmember Daysog seconded the motion.

Under discussion Councilmember Daysog, stated that he was concerned about the possibility of a charge on either cable or electric bills; it is important to be upfront with the public regarding the \$750,000 and the possibility of recouping the money through rate charges.

The Interim City Manager stated impacts would be determined through Alameda Power & Telecom's (AP&T) budget process; stated that there are always trade offs in the budget.

Councilmember Daysog stated that he supports the Ordinance, which is the more conservative approach given the different options presented.

Councilmember deHaan stated that there is a good likelihood that something would need to be massaged; AP&T should not go through a disproportionate adjustment.

On the call for the question, the motion carried by unanimous voice vote - 4. [Absent: Mayor Johnson - 1.]

(05-\_\_\_\_) Ordinance No. 2935, "Amending the Alameda Municipal Code by Adding a New Section 3-91 (City of Alameda Community Benefit Assessment Procedure Code) to Article VI (City of Alameda Improvement Procedure Code) of Chapter III (Finance and Taxation)." Finally Passed.

Councilmember Matarrese moved Final Passage of the Ordinance.

Councilmember deHaan seconded the motion, which carried by unanimous voice vote - 4. [Absent: Mayor Johnson - 1.]



ORAL COMMUNICATIONS, NON-AGENDA

None.

COUNCIL COMMUNICATIONS

(05-\_\_\_\_) Councilmember deHaan inquired whether the budget review process would take two months.

The Interim City Manager outlined the budget adoption process and stated the mid-year budget review addresses expenditures and revenues through the end of December and should be addressed at the first or second meeting in February.

ADJOURNMENT

There being no further business, Acting Mayor Gilmore adjourned the Regular Meeting at 10:02 p.m.

Respectfully Submitted,

Lara Weisiger  
City Clerk

The agenda for this meeting was posted in accordance with the Brown Act.

January 27, 2005

Honorable Mayor and Councilmembers:

This is to certify that the claims listed on the check register and shown below have been approved by the proper officials and, in my opinion, represent fair and just charges against the City in accordance with their respective amounts as indicated thereon.

<u>Check Numbers</u>	<u>Amount</u>
132533 - 132956	3,749,693.11
EFT 100	200,000.00
EFT 101	655,679.89
EFT 102	22,894.61

Void Checks:

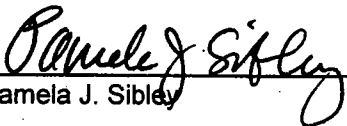
132039	(265.00)
113182	(60.00)

GRAND TOTAL

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4,627,942.61

Respectfully submitted,

  
Pamela J. Sibley

Council Warrants 02/01/05

BILLS #4-B  
02/01/05

**CITY OF ALAMEDA**  
**MEMORANDUM**

Date: January 24, 2005

To: Honorable Mayor and  
Councilmembers

From: William C. Norton  
Interim City Manager

Re: Quarterly Investment Report for Period Ending December 31, 2004

**BACKGROUND**

Attached is the investment portfolio for the quarter ending December 31, 2004

**DISCUSSION**

The attached portfolio reflects the invested operating funds as well as the various assessment district funds. These investments have been made in accordance with the provisions of the City's approved Investment Guidelines. The City of Alameda's expenditure requirements for the next six months are more than sufficiently covered by two sources, namely (1) anticipated revenues from regular operations and (2) liquidity of current investments.

**FINANCIAL IMPACT**


This report is provided for information purposes only.

**RECOMMENDATION**

It is recommended that Council accept the City's Investment Report for the period ending December 31, 2004.

Respectfully submitted,

William C. Norton  
Interim City Manager

  
Juelle-Ann Boyer  
Chief Financial Officer

JB:dl  
Attachment  
G:\FINANCE\COUNCIL\2005\020105\Investment4thqtr.doc

City of Alameda California



January 24, 2005

Honorable Mayor and City Council

I have reviewed the City of Alameda's Investment Report for the quarter ending December 31, 2004, and find that it complies with the Investment Policy established by my office.

The interest of the Council is always appreciated

Sincerely,

A handwritten signature in black ink, appearing to be "Kevin Kennedy", is written over the typed name and title.

Kevin Kennedy  
City Treasurer

KK:dl

Kevin Kennedy, City Treasurer *Dedicated to Excellence, Committed to Service*

---

Office of the City Treasurer  
2263 Santa Clara Avenue, Room 220  
Alameda, California 94501  
510. 748.4560 • TDD 510. 522.7538  
Business 510. 748.1898 • Fax 510. 748.1896



CITY OF ALAMEDA  
INVESTMENT PORTFOLIO FOR THE QUARTER ENDING DECEMBER 31, 2004

INVESTMENT SUMMARY

	BOOK VALUE	PERCENT OF TOTAL	AVERAGE REMAINING LIFE DAYS	AVERAGE PAR VALUE YIELD	MARKET VALUE
1. CERTIFICATES OF DEPOSIT	\$190,000.00	0.1267%	34	1.0750%	\$190,000.00
2. FEDERAL/AGENCY ISSUES	53,043,074.02	35.3587%	797	2.9743%	52,467,511.22
3. MEDIUM-TERM NOTES	10,026,946.94	6.6840%	593	3.9119%	9,930,247.19
4. INVESTMENTS WITH TRUSTEES	69,548,587.98	46.3613%	244	1.7142%	69,556,915.57
5. FIRST AMERICAN TREASURY FUND	258,570.72	0.1724%	1	1.2700%	258,570.72
6. LOCAL AGENCY INVESTMENT FUND	16,947,026.14	11.2969%	1	2.0000%	16,947,026.14
<b>TOTAL INVESTMENT PORTFOLIO</b>	<b>\$150,014,205.80</b>	<b>100.0000%</b>			<b>\$149,350,270.84</b>

GENERAL FUND ONLY

2003-04 ACTUAL INTEREST INCOME \$789,927 TOTAL \$1,542,795

2004-05 PROJECTED INTEREST INCOME \$1,700,000 \$3,759,763  
YEAR-TO-DATE INTEREST INCOME \$1,177,578 \$1,613,719

PERCENT OF INTEREST RECEIVED TO DATE 69.27% 42.92%

CITY WEIGHTED AVERAGE YIELD 2.34%  
CITY WEIGHTED AVERAGE LIFE 435

I VERIFY THAT THIS INVESTMENT PORTFOLIO IS IN CONFORMITY WITH ALL STATE LAWS  
AND THE CITY'S INVESTMENT POLICY WHICH IS REVIEWED ANNUALLY BY THE CITY COUNCIL  
AND THE CITY TREASURER OF THE CITY OF ALAMEDA.

  
JUELLE ANN BOYER CHIEF FINANCIAL OFFICER

CITY OF ALAMEDA  
INVESTMENT PORTFOLIO FOR THE QUARTER ENDING DECEMBER 31, 2004

DESCRIPTION	BOOK VALUE	RATE	YIELD	PURCHASE DATE	MATURITY DATE	LIFE TO MATURITY DAYS	REMAINING LIFE DAYS	PAR VALUE	MARKET VALUE 12/31/2004
CITY POOLED FUNDS									
LOCAL AGENCY INVESTMENT FUND	\$16,695,324.54	2.0000%	2.0000%	2-Oct-04	01-Jan-05	91	1	\$16,695,324.54	\$16,695,324.54
LOCAL AGENCY INVESTMENT FUND (UDAG)	251,701.60	2.0000%	2.0000%	2-Oct-04	01-Jan-05	91	1	251,701.60	251,701.60
U S BANK - FIRST AMERICAN TREASURY	258,570.72	1.2700%	1.2700%	2-Oct-04	01-Jan-05	91	1	258,570.72	258,570.72
TRANS PACIFIC NATIONAL BANK	95,000.00	1.0000%	1.0000%	06-Feb-04	06-Feb-05	366	37	95,000.00	95,000.00
BANK OF ALAMEDA	95,000.00	1.1500%	1.1500%	30-Jan-04	30-Jan-05	366	30	95,000.00	95,000.00
FHLB DISC NOTE	2,069,204.85	2.232%	2.232%	22-Dec-04	05-Jan-05	14	5	2,070,000.00	2,069,362.36
FHLB NOTES (CALLABLE)	515,115.00	3.800%	2.476%	25-Sep-02	08-Feb-05	867	39	500,000.00	500,625.00
MERRILL LYNCH & CO NOTES MTN	500,000.00	4.540%	4.540%	06-Mar-02	08-Mar-05	1,098	67	500,000.00	501,661.50
BANK OF AMERICA SUB NOTES	272,444.90	7.625%	1.464%	09-Jun-03	15-Apr-05	676	105	245,000.00	248,237.92
ASSOCIATES CORP NA NOTES	231,325.00	6.200%	8.050%	22-May-00	16-May-05	1,820	136	250,000.00	253,087.75
MORGAN STANLEY DW NOTES	534,250.00	7.750%	5.860%	19-Apr-01	15-Jun-05	1,518	166	500,000.00	510,912.50
FHLMC GLOBAL REFERENCE NOTES	805,474.28	7.000%	1.846%	30-Apr-03	15-Jul-05	807	196	725,000.00	741,312.50
FHLB GLOBAL NOTES	1,039,414.06	3.250%	1.376%	24-Jun-03	15-Aug-05	783	227	1,000,000.00	1,002,812.50
FFCB BONDS	997,500.00	2.500%	2.587%	04-Oct-02	11-Oct-05	1,103	284	1,000,000.00	997,187.50
WAL MART STORES INC CORPORATE NOTES	493,987.50	5.875%	2.020%	03-Mar-03	15-Oct-05	957	288	450,000.00	460,230.30
US TREASURY NOTES	1,045,664.06	5.750%	2.435%	17-Jun-04	15-Nov-05	516	319	1,000,000.00	1,025,625.00
US TREASURY NOTES	634,546.88	5.875%	2.021%	03-May-04	15-Nov-05	561	319	600,000.00	615,961.20
US TREASURY NOTES	588,202.34	1.875%	2.032%	03-Dec-03	30-Nov-05	728	334	590,000.00	585,390.92
CITIFINANCIAL COMMERCIAL CREDIT CO NOTES	498,395.00	6.125%	6.200%	12-Jan-01	01-Dec-05	1,784	335	500,000.00	513,388.50
CITIFINANCIAL COMMERCIAL CREDIT CO NOTES	498,395.00	6.125%	6.200%	12-Jan-01	01-Dec-05	1,784	335	500,000.00	513,388.50
FHLB NOTES	500,035.00	2.250%	2.246%	04-Dec-03	15-Dec-05	742	349	500,000.00	496,562.50
FHLMC GLOBAL REFERENCE NOTES	1,038,054.00	5.250%	2.767%	17-Jun-04	15-Jan-06	577	380	1,000,000.00	1,021,562.50
US TREASURY NOTES	276,203.13	1.875%	1.644%	24-Feb-04	31-Jan-06	707	396	275,000.00	272,357.53
FHLB TAP NOTES	1,005,810.00	2.375%	2.170%	28-Feb-03	15-Feb-06	1,083	411	1,000,000.00	992,500.00
FHLMC NOTES	1,988,764.00	1.875%	2.842%	15-Jun-04	15-Feb-06	610	411	2,000,000.00	1,974,375.00
FNMA BENCHMARK NOTES	530,820.31	5.500%	3.646%	17-Jul-02	15-Feb-06	1,309	411	500,000.00	513,281.25
FNMA NOTES (CALLABLE)	501,406.25	2.340%	2.201%	23-Feb-04	29-Mar-06	765	453	500,000.00	495,625.00
US TREASURY NOTES	1,480,371.09	1.500%	2.400%	01-Oct-04	31-Mar-06	546	455	1,500,000.00	1,475,508.00
FHLMC REF NOTES	512,143.36	2.375%	2.589%	31-Jul-03	15-Apr-06	989	470	515,000.00	510,493.75
FHLB NOTES	1,030,011.30	2.750%	3.013%	22-Jun-04	15-May-06	692	500	1,035,000.00	1,030,148.44
US TREASURY NOTES	559,882.81	6.875%	3.501%	18-Jul-02	15-May-06	1,397	500	500,000.00	526,465.00
US TREASURY NOTES	286,708.98	6.875%	1.612%	01-Jul-03	15-May-06	1,049	500	250,000.00	263,232.50
AMERICAN GENERAL FINANCE CORP NOTES	524,235.00	5.910%	3.329%	28-Jun-04	12-Jun-06	714	528	500,000.00	517,375.50
FNMA BENCHMARK NOTES	1,102,092.00	5.250%	1.715%	24-Jun-03	15-Jun-06	1,087	531	1,000,000.00	1,029,375.00
FNMA NOTES	1,976,948.00	2.500%	3.100%	15-Jun-04	15-Jun-06	730	531	2,000,000.00	1,982,500.00
FNMA NOTES (CALLABLE)	449,437.50	2.580%	2.632%	06-Jan-04	29-Jun-06	905	545	450,000.00	446,343.75
FHLMC GLOBAL REFERENCE NOTES	530,839.84	5.500%	3.820%	17-Jul-02	15-Jul-06	1,459	561	500,000.00	517,500.00
FHLMC GLOBAL REFERENCE NOTES	263,939.65	5.500%	2.751%	31-Jul-03	15-Jul-06	1,080	561	245,000.00	253,575.00
FNMA NOTES (CALLABLE)	300,000.00	2.500%	2.499%	31-Mar-04	11-Aug-06	863	588	300,000.00	296,906.25
FHLB TAP BONDS	525,527.34	3.883%	3.883%	17-Jul-02	15-Aug-06	1,490	592	500,000.00	515,550.00
FHLB NOTES (CALLABLE)	514,800.00	2.400%	2.786%	12-Dec-03	28-Aug-06	990	605	520,000.00	513,500.00
US TREASURY NOTES	249,423.83	2.500%	2.620%	01-Oct-04	30-Sep-06	729	638	250,000.00	247,841.75
FFCB DESIGNATED BONDS	986,663.70	2.375%	2.492%	24-Sep-03	02-Oct-06	1,104	640	990,000.00	976,078.13
US TREASURY NOTES	834,316.41	6.500%	3.618%	17-Jul-02	15-Oct-06	1,551	653	750,000.00	794,941.50
GENERAL ELECTRIC CAP CORP NOTES	1,244,275.00	3.125%	3.372%	01-Dec-04	09-Nov-06	708	678	1,250,000.00	1,244,201.25
FHLB TAP NOTES	1,006,484.38	2.750%	2.491%	05-Apr-04	15-Nov-06	954	684	1,000,000.00	990,937.50
FNMA NOTES	833,713.44	2.625%	3.010%	04-Nov-04	15-Nov-06	741	684	840,000.00	830,812.50
WELLS FARGO CO CORPORATE NOTES	724,495.42	6.550%	3.313%	23-Nov-04	01-Dec-06	738	700	682,000.00	721,078.60
FHLB NOTES	743,477.25	2.750%	3.194%	01-Dec-04	15-Dec-06	744	714	750,000.00	742,988.75

INVESTMENT BY FUND

CITY OF ALAMEDA  
INVESTMENT PORTFOLIO FOR THE QUARTER ENDING DECEMBER 31, 2004

DESCRIPTION	BOOK VALUE	RATE	YIELD	PURCHASE DATE	MATURITY DATE	LIFE TO MATURITY DAYS	REMAINING LIFE DAYS	PAR VALUE	MARKET VALUE
FNMA BENCHMARK NOTES	520,019.53	5.000%	4.017%	17-Jul-02	15-Jan-07	1,643	745	500,000.00	516,875.00
COUNTRYWIDE HOME CORPORATE NOTES	780,750.00	5.500%	3.833%	21-Jun-04	01-Feb-07	955	762	750,000.00	777,461.25
FHLB TAP NOTES	607,517.58	4.875%	3.251%	27-Sep-02	15-Feb-07	1,602	776	570,000.00	587,990.63
FHLMC NOTES	1,944,706.00	2.375%	3.469%	15-Jun-04	15-Feb-07	975	776	2,000,000.00	1,963,125.00
FNMA NOTES	931,481.65	2.375%	3.113%	06-May-04	15-Feb-07	1,015	776	950,000.00	931,190.00
FNMA NOTES	524,277.34	5.250%	4.111%	17-Jul-02	15-Apr-07	1,733	835	500,000.00	520,937.50
FNMA NOTES	371,587.89	5.250%	3.798%	09-Aug-02	15-Apr-07	1,710	835	350,000.00	364,656.25
FNMA NOTES (CALLABLE)	748,875.00	2.500%	2.552%	31-Mar-04	19-Apr-07	1,114	839	750,000.00	736,406.25
CITIGROUP GLOBAL MARKETS NOTES	825,003.81	7.375%	3.627%	29-Dec-04	15-May-07	867	865	761,000.00	824,093.75
US TREASURY NOTES	843,339.84	6.625%	3.780%	17-Jul-02	15-May-07	1,763	865	750,000.00	809,091.80
US TREASURY NOTES	1,169,905.28	3.125%	3.282%	15-Jun-04	15-May-07	1,084	865	1,175,000.00	1,174,403.10
FHLB TAP NOTES	601,230.00	3.750%	3.679%	30-Jun-04	15-Aug-07	1,141	957	600,000.00	605,250.00
FHLB TAP NOTES	1,001,601.56	3.750%	3.695%	17-Jun-04	15-Aug-07	1,154	957	1,000,000.00	1,008,750.00
FNMA GLOBAL BENCHMARK NOTES	454,828.13	6.625%	3.523%	10-Dec-02	15-Oct-07	1,770	1,018	400,000.00	433,500.00
AMERICAN GENERAL FINANCE CORPORATE NOTES	629,022.00	4.500%	3.099%	09-Mar-04	15-Nov-07	1,346	1,049	600,000.00	611,302.80
FHLMC NOTES	1,055,414.06	3.500%	3.361%	10-Nov-03	15-Nov-07	1,466	1,049	1,050,000.00	1,050,328.13
FFCB NOTES	1,009,450.00	3.750%	3.449%	07-Jul-04	19-Nov-07	1,230	1,053	1,000,000.00	1,007,812.50
FHLMC GOLD MBS POOL #M90791	762,679.39	4.000%	3.266%	14-Jan-03	01-Jan-08	1,813	1,096	750,714.87	753,843.11
HOUSEHOLD FINANCE CO. NOTES	719,070.75	4.625%	3.094%	05-Jun-03	15-Jan-08	1,685	1,110	675,000.00	691,153.43
BANK OF AMERICA CORPORATE NOTES	895,374.06	6.375%	4.165%	30-Jun-04	15-Feb-08	1,325	1,141	834,000.00	897,517.44
FNMA NOTES	859,511.72	5.750%	2.406%	24-Jun-03	15-Feb-08	1,697	1,141	750,000.00	798,984.38
FHLMC GLOBAL REFERENCE NOTES	603,186.65	5.750%	3.499%	31-Jul-03	15-Apr-08	1,720	1,201	550,000.00	587,296.88
FHLMC GLOBAL REFERENCE NOTES	545,882.50	5.750%	3.605%	06-Aug-03	15-Apr-08	1,714	1,201	500,000.00	533,906.25
GENERAL ELECTRIC CAPITAL CORP NOTES	655,843.50	3.500%	3.286%	07-Oct-03	01-May-08	1,668	1,217	650,000.00	645,156.20
FNMA BENCHMARK NOTES	612,200.60	6.000%	3.142%	11-Feb-04	15-May-08	1,555	1,231	550,000.00	591,765.63
FHLB TAP NOTES	1,006,797.00	3.750%	3.559%	08-Oct-04	15-Aug-08	1,407	1,323	1,000,000.00	1,002,500.00
US TREASURY NOTES	896,800.78	3.250%	3.332%	09-Dec-03	15-Aug-08	1,711	1,323	900,000.00	895,816.80
FHLMC NOTES	588,502.80	3.625%	4.118%	08-Jun-04	15-Sep-08	1,560	1,354	600,000.00	600,187.50
FHLMC NOTES	980,703.13	3.625%	4.124%	17-Jun-04	15-Sep-08	1,551	1,354	1,000,000.00	1,000,312.50
FHLMC NOTES	586,713.00	3.625%	4.177%	08-Jun-04	15-Sep-08	1,620	1,414	600,000.00	598,312.50
FHLMC NOTES	538,711.00	5.750%	3.980%	06-May-04	15-Mar-09	1,774	1,535	500,000.00	538,750.00
FHLMC NOTES	582,261.00	3.375%	4.039%	06-May-04	15-Apr-09	1,805	1,566	600,000.00	591,937.50
FNMA NOTES	995,346.00	4.250%	4.356%	17-Jun-04	15-May-09	1,793	1,596	1,000,000.00	1,017,500.00
FNMA NOTES	445,630.80	6.375%	3.746%	31-Aug-04	15-Jun-09	1,749	1,827	400,000.00	441,375.00
FHLMC MBS 5YR BALLOON POOL #M90935	1,809,366.35	5.000%	3.934%	30-Jul-04	01-Jul-09	1,797	1,643	1,767,390.82	1,806,363.43
FHLMC NOTES	408,342.00	4.250%	3.773%	31-Aug-04	15-Jul-09	1,779	1,657	400,000.00	407,000.00
FHLMC GLOBAL NOTES	1,334,210.40	6.625%	4.025%	06-Dec-04	15-Sep-09	1,744	1,719	1,200,000.00	1,342,125.00
TOTAL AND AVERAGES	\$80,465,617.82	3.1630%	2.9427%			1,152	714	\$78,860,702.55	\$79,793,355.27

CITY OF ALAMEDA  
INVESTMENT PORTFOLIO FOR THE QUARTER ENDING DECEMBER 31, 2004

DESCRIPTION	BOOK VALUE	RATE	YIELD	PURCHASE DATE	MATURITY DATE	LIFE TO MATURITY DAYS	REMAINING LIFE DAYS	PAR VALUE	MARKET VALUE
<b>HBI ASSESSMENT DIST. 92-1</b>									
C.A.M.P. - MONEY MARKET (IMPROVEMENT FUND)	\$772,783.28	1.9400%	1.9400%	2-Oct-04	01-Jan-05	91	1	\$772,783.28	\$772,783.28
BNY - WELLS FARGO TREASURY PLUS	161.52	1.4600%	1.4600%	2-Oct-04	01-Jan-05	91	1	161.52	161.52
BNY - INVESTMENT AGREEMENT	1,922,451.54	5.1500%	5.1500%	2-Oct-04	01-Jan-05	91	1	1,922,451.54	1,922,451.54
<b>TOTAL AND AVERAGES</b>	<b>\$2,695,396.34</b>	<b>4.2295%</b>	<b>4.2295%</b>			<b>91</b>	<b>1</b>	<b>\$2,695,396.34</b>	<b>\$2,695,396.34</b>
<b>MARINA VILLAGE ASSESSMENT DIST. 89-1</b>									
C.A.M.P. - MONEY MARKET (IMPROVEMENT FUND)	\$2,424,432.36	1.9400%	1.9400%	2-Oct-04	01-Jan-05	91	1	\$2,424,432.36	\$2,424,432.36
CDC FUNDING - INVESTMENT AGREEMENT	3,080,362.63	5.4000%	5.4000%	2-Oct-04	01-Jan-05	91	1	3,080,362.63	3,080,362.63
<b>TOTAL AND AVERAGES</b>	<b>\$5,504,794.99</b>	<b>3.8761%</b>	<b>3.8761%</b>			<b>91</b>	<b>1</b>	<b>\$5,504,794.99</b>	<b>\$5,504,794.99</b>
<b>CERTIFICATE OF PARTICIPATION (CITY HALL)</b>									
MBIA INVESTMENT AGREEMENT	829,950.00	0.0000%	0.0000%	1-Oct-03	01-Jan-05	458	1	829,950.00	829,950.00
BNY - WELLS FARGO TREASURY PLUS	20,450.77	1.4600%	1.4600%	2-Oct-04	01-Jan-05	91	1	20,450.77	20,450.77
<b>TOTAL AND AVERAGES</b>	<b>\$850,400.77</b>	<b>0.0351%</b>	<b>0.0351%</b>			<b>275</b>	<b>1</b>	<b>\$850,400.77</b>	<b>\$850,400.77</b>
<b>1995 SEWER SYSTEM PROJECT</b>									
BNY - WELLS FARGO TREASURY PLUS	\$9,496.75	1.4600%	1.4600%	2-Oct-04	01-Jan-05	91	1	\$9,496.75	\$9,496.75
U.S. TREAS NOTES 1.625%, 1/31/05	\$1,084,973.91	1.6250%	1.6200%	2-Jun-04	31-Jan-05	243	31	\$1,084,000.00	\$1,083,830.63
<b>TOTAL AND AVERAGES</b>	<b>\$1,094,470.66</b>	<b>1.6236%</b>	<b>1.6186%</b>			<b>167</b>	<b>16</b>	<b>\$1,093,496.75</b>	<b>\$1,093,327.38</b>
<b>CERTIFICATES OF PARTICIPATION ( POLICE BLDG )</b>									
BNY - WELLS FARGO TREASURY PLUS	\$8.06	1.4100%	1.4100%	2-Oct-04	01-Jan-05	91	1	\$8.06	\$8.06
US TREAS NOTES 1.625%, 1/31/05	242,245.78	1.6250%	1.6200%	2-Jun-04	31-Jan-05	243	31	242,000.00	241,962.19
BNY - WELLS FARGO TREASURY PLUS	2,659.73	1.4500%	1.4500%	2-Oct-04	01-Jan-05	91	1	2,659.73	2,659.73
<b>TOTAL AND AVERAGES</b>	<b>\$244,913.57</b>	<b>0.0158%</b>	<b>0.0158%</b>			<b>142</b>	<b>11</b>	<b>\$244,667.79</b>	<b>\$244,629.98</b>
<b>COMMUNITY FACILITIES DISTRICT #1</b>									
BNY - WELLS FARGO TREASURY PLUS	\$47.54	1.4700%	1.4700%	2-Oct-04	01-Jan-05	91	1	\$47.54	\$47.54
BNY - AIG MATCHED FUNDING CORP.	1,433,631.98	5.1520%	0.0000%	15-Jun-04	01-Aug-19	5,525	5,326	1,433,631.98	1,433,631.98
<b>TOTAL AND AVERAGES</b>	<b>\$1,433,679.52</b>	<b>5.1519%</b>	<b>0.0000%</b>			<b>2,808</b>	<b>2,664</b>	<b>\$1,433,679.52</b>	<b>\$1,433,679.52</b>



CITY OF ALAMEDA  
INVESTMENT PORTFOLIO FOR THE QUARTER ENDING DECEMBER 31, 2004

DESCRIPTION	BOOK VALUE	RATE	YIELD	PURCHASE DATE	MATURITY DATE	LIFE TO MATURITY DAYS	REMAINING LIFE DAYS	PAR VALUE	MARKET VALUE
<u>COMMUNITY FACILITIES DISTRICT #2</u>									
U.S. TREAS. NOTES 1.625% 1/31/05	\$445,399.80	1.6250%	1.6200%	2-Jun-04	31-Jan-05	243	31	\$445,000.00	\$444,930.47
U.S. TREAS. NOTES 1.5 % 2/28/05	183,913.75	1.5000%	1.5000%	2-Jun-04	28-Feb-05	271	59	\$184,000.00	\$183,871.20
BNY - WELLS FARGO TREASURY PLUS	6,112.88	1.4600%	1.4600%	2-Oct-04	01-Jan-05	91	1	6,112.88	6,112.88
<b>TOTAL AND AVERAGES</b>	<b>\$635,426.43</b>	<b>1.1531%</b>	<b>1.1496%</b>			<b>202</b>	<b>30</b>	<b>\$635,112.88</b>	<b>\$634,914.55</b>
<u>CERTIFICATES OF PARTICIPATION ( GOLF &amp; LIBRARY)</u>									
U.S. TREAS. NOTES 6.50%, 5/15/05	367,507.97	6.5000%	6.2500%	1-Jun-04	15-May-05	348	135	\$351,000.00	\$356,128.11
BNY - WELLS FARGO TREASURY PLUS (RESERVE)	23,578.62	1.4600%	1.4600%	2-Oct-04	01-Jan-05	91	1	23,578.62	23,578.62
<b>TOTAL AND AVERAGES</b>	<b>\$391,086.59</b>	<b>6.1961%</b>	<b>5.9612%</b>			<b>220</b>	<b>68</b>	<b>\$374,578.62</b>	<b>\$379,706.73</b>
<u>1992 PFA REVENUE BONDS SERIES A</u>									
BNY - WELLS FARGO TREASURY PLUS	\$17.86	1.4200%	1.4200%	2-Oct-04	01-Jan-05	91	1	17.86	17.86
<b>TOTAL AND AVERAGES</b>	<b>\$17.86</b>	<b>1.4200%</b>	<b>1.4200%</b>			<b>91</b>	<b>1</b>	<b>\$17.86</b>	<b>\$17.86</b>
<u>ALAMEDA CIC TAX ALLOC. REFUND. SER 2003 A &amp; B</u>									
UNION BANK - PROVIDENT INST. FUND	\$1,308,980.95	1.5700%	1.5700%	2-Oct-04	01-Jan-05	91	1	\$1,308,980.95	\$1,308,980.95
UNION BANK - PROVIDENT INST. FUND	2,804,317.09	1.5700%	1.5700%	2-Oct-04	01-Jan-05	91	1	2,804,317.09	2,804,317.09
UNION BANK - PROVIDENT INST. FUND	452,936.53	1.5700%	1.5700%	2-Oct-04	01-Jan-05	91	1	452,936.53	452,936.53
UNION BANK - PROVIDENT INST. FUND	265,942.31	1.5700%	1.5700%	2-Oct-04	01-Jan-05	91	1	265,942.31	265,942.31
<b>TOTAL AND AVERAGES</b>	<b>\$4,832,176.88</b>	<b>1.5700%</b>	<b>1.5700%</b>			<b>91</b>	<b>1</b>	<b>\$4,832,176.88</b>	<b>\$4,832,176.88</b>
<u>ALAMEDA CIC TAX ALLOC. REFUND. SER 2003CD</u>									
MBIA GUARANTEED INVESTMENT CONTRACT	\$1,263,768.75	4.8600%	4.8600%	2-Oct-04	01-Jan-05	91	1	\$1,263,768.75	\$1,263,768.75
UNION BANK - PROVIDENT INST. FUND	547,532.66	1.5700%	1.5700%	2-Oct-04	01-Jan-05	91	1	547,532.66	547,532.66
UNION BANK - PROVIDENT INST. FUND	328,854.41	1.5700%	1.5700%	2-Oct-04	01-Jan-05	91	1	328,854.41	328,854.41
UNION BANK - PROVIDENT INST. FUND	16.43	1.5500%	1.5500%	2-Oct-04	01-Jan-05	91	1	16.43	16.43
<b>TOTAL AND AVERAGES</b>	<b>\$2,140,172.25</b>	<b>3.5127%</b>	<b>3.5127%</b>			<b>91</b>	<b>1</b>	<b>\$2,140,172.25</b>	<b>\$2,140,172.25</b>
<u>ALAMEDA CIC SUB TAX TABS 2002 SERIES B</u>									
UNION BANK - PROVIDENT INST. FUND	\$53.20	1.5800%	1.5800%	2-Oct-04	01-Jan-05	91	1	\$53.20	\$53.20
UNION BANK - U.S. TREASURY NOTES	463,413.44	3.5000%	3.4600%	2-Oct-04	15-Nov-06	774	684	481,000.00	485,059.64
UNION BANK - PROVIDENT INST. FUND	44,116.60	1.5700%	1.5700%	2-Oct-04	01-Jan-05	91	1	44,116.60	44,116.60
<b>TOTAL AND AVERAGES</b>	<b>\$507,583.24</b>	<b>3.3321%</b>	<b>3.2955%</b>			<b>319</b>	<b>229</b>	<b>\$525,169.80</b>	<b>\$529,229.44</b>

CITY OF ALAMEDA  
INVESTMENT PORTFOLIO FOR THE QUARTER ENDING DECEMBER 31, 2004

DESCRIPTION	BOOK VALUE	RATE	YIELD	PURCHASE DATE	MATURITY DATE	LIFE TO MATURITY DAYS	REMAINING LIFE DAYS	PAR VALUE	MARKET VALUE
<u>ALAMEDA CIC SUB TAX ALLOC BONDS 2003B</u>									
UNION BANK - PROVIDENT INST. FUND	\$17.45	1.5500%	1.5500%	2-Oct-04	01-Jan-05	91	1	\$17.45	\$17.45
UNION BANK - PROVIDENT INST. FUND	7.41	1.6200%	1.6200%	2-Oct-04	01-Jan-05	91	1	7.41	7.41
UNION BANK - PROVIDENT INST. FUND	20,070.09	1.5700%	1.5700%	2-Oct-04	01-Jan-05	91	1	20,070.09	20,070.09
CDC FUNDING GUARANTEE INVEST AGREEMENT	886,783.44	4.5100%	4.5100%	18-Dec-03	30-Dec-16	4,761	4,382	886,783.44	886,783.44
CDC FUNDING GUARANTEE INVEST AGREEMENT	5,875,943.98	1.3100%	1.3100%	18-Dec-03	01-Jun-06	896	517	5,875,943.98	5,875,943.98
<b>TOTAL AND AVERAGES</b>	<b>\$6,782,822.37</b>	<b>1.1395%</b>	<b>1.1395%</b>			<b>1,186</b>	<b>980</b>	<b>\$6,782,822.37</b>	<b>\$6,782,822.37</b>
<u>ALAMEDA CIC SUB TAX ALLOC BONDS 2003A1 &amp; A2</u>									
UNION BANK - PROVIDENT INST. FUND	\$52.10	1.5900%	1.5900%	2-Oct-04	01-Jan-05	91	1	\$52.10	\$52.10
UNION BANK - PROVIDENT INST. FUND	17,599.68	1.5700%	1.5700%	2-Oct-04	01-Jan-05	91	1	17,599.68	17,599.68
AIG MATCHED FUNDING CORP. 5.202%	3,230,954.81	5.2000%	5.2000%	2-Oct-04	01-Jan-05	91	1	3,230,954.81	3,230,954.81
UNION BANK - PROVIDENT INST. FUND	68,149.34	1.5700%	1.5700%	2-Oct-04	01-Jan-05	91	1	68,149.34	68,149.34
UNION BANK - PROVIDENT INST. FUND	3.60	1.6700%	1.6700%	2-Oct-04	01-Jan-05	91	1	3.60	3.60
CDC FUNDING 1.31% GUARANTEE INVEST ACCT	19,181,362.79	1.3100%	1.3100%	2-Oct-04	01-Jan-05	91	1	19,181,362.79	19,181,362.79
UNION BANK - PROVIDENT INST. FUND	74,483.34	1.5700%	1.5700%	2-Oct-04	01-Jan-05	91	1	74,483.34	74,483.34
UNION BANK - PROVIDENT INST. FUND	2,381,485.80	1.5700%	1.5700%	2-Oct-04	01-Jan-05	91	1	2,381,485.80	2,381,485.80
AIG MATCHED FUNDING CORP 1/1/2014	8,426,002.59	0.0000%	0.0000%	2-Oct-04	01-Jan-05	91	1	8,426,002.59	8,426,002.59
<b>TOTAL AND AVERAGES</b>	<b>\$33,380,094.05</b>	<b>1.3756%</b>	<b>1.3756%</b>			<b>91</b>	<b>1</b>	<b>\$33,380,094.05</b>	<b>\$33,380,094.05</b>
<u>2003 LIBRARY BOND PROJECT</u>									
LAIF-LIBRARY CONSTRUCTION & IMPROVEMENTS	\$9,055,552.46	2.0000%	2.0000%	2-Oct-04	01-Jan-05	91	1	\$9,055,552.46	\$9,055,552.46
<b>TOTAL AND AVERAGES</b>	<b>\$9,055,552.46</b>	<b>2.0000%</b>	<b>2.0000%</b>			<b>91</b>	<b>1</b>	<b>\$9,055,552.46</b>	<b>\$9,055,552.46</b>

CITY OF ALAMEDA  
INVESTMENT PORTFOLIO FOR THE QUARTER ENDING DECEMBER 31, 2004

DESCRIPTION	BOOK VALUE	RATE	YIELD	PURCHASE DATE	MATURITY DATE	LIFE TO		REMAINING LIFE DAYS	PAR VALUE	MARKET VALUE
						MATURITY DAYS	INVESTMENT BY TYPE			
1. CERTIFICATES OF DEPOSITS										
TRANS PACIFIC NATIONAL BANK	\$95,000.00	1.0000%	1.0000%	06-Feb-04	06-Feb-05	366		37	\$95,000.00	\$95,000.00
BANK OF ALAMEDA	95,000.00	1.1500%	1.1500%	30-Jan-04	30-Jan-05	366		30	95,000.00	95,000.00
TOTAL AND AVERAGES	\$190,000.00	1.0750%	1.0750%			366		34	\$190,000.00	\$190,000.00
2. GOVERNMENT AGENCIES										
FHLB DISC NOTE	2,068,204.85		2.232%	22-Dec-04	05-Jan-05	14		5	2,070,000.00	2,069,362.36
FHLB NOTES (CALLABLE)	515,115.00	3.800%	2.476%	25-Sep-02	08-Feb-05	867		39	500,000.00	500,625.00
FHLMC GLOBAL REFERENCE NOTES	805,474.28	7.000%	1.846%	30-Apr-03	15-Jul-05	807		196	725,000.00	741,312.50
FHLB GLOBAL NOTES	1,039,414.06	3.250%	1.376%	24-Jun-03	15-Aug-05	783		227	1,000,000.00	1,002,812.50
FFCB BONDS	997,500.00	2.500%	2.587%	04-Oct-02	11-Oct-05	1,103		284	1,000,000.00	997,187.50
US TREASURY NOTES	1,045,664.06	5.750%	2.435%	17-Jun-04	15-Nov-05	516		319	1,000,000.00	1,025,625.00
US TREASURY NOTES	634,546.88	5.875%	2.021%	03-May-04	15-Nov-05	561		319	600,000.00	615,961.20
US TREASURY NOTES	588,202.34	1.875%	2.032%	03-Dec-03	30-Nov-05	728		334	590,000.00	585,390.92
FHLB NOTES	500,035.00	2.250%	2.246%	04-Dec-03	15-Dec-05	742		349	500,000.00	496,562.50
FHLMC GLOBAL REFERENCE NOTES	1,038,054.00	5.250%	2.767%	17-Jun-04	15-Jan-06	577		380	1,000,000.00	1,021,562.50
US TREASURY NOTES	276,203.13	1.875%	1.644%	24-Feb-04	31-Jan-06	707		396	275,000.00	272,357.53
FHLB TAP NOTES	1,005,810.00	2.375%	2.170%	28-Feb-03	15-Feb-06	1,083		411	1,000,000.00	992,500.00
FHLMC NOTES	1,968,764.00	1.875%	2.842%	15-Jun-04	15-Feb-06	610		411	2,000,000.00	1,974,375.00
FNMA BENCHMARK NOTES	530,820.31	5.500%	3.646%	17-Jul-02	15-Feb-06	1,309		411	500,000.00	513,281.25
FNMA NOTES (CALLABLE)	501,406.25	2.340%	2.201%	23-Feb-04	29-Mar-06	765		453	500,000.00	495,625.00
US TREASURY NOTES	1,480,371.09	1.500%	2.400%	01-Oct-04	31-Mar-06	546		455	1,500,000.00	1,475,508.00
FHLMC REF NOTES	512,143.36	2.375%	2.589%	31-Jul-03	15-Apr-06	989		470	515,000.00	510,493.75
FHLB NOTES	1,030,011.30	2.750%	3.013%	22-Jun-04	15-May-06	692		500	1,035,000.00	1,030,148.44
US TREASURY NOTES	559,882.81	6.875%	3.501%	18-Jul-02	15-May-06	1,397		500	500,000.00	526,465.00
US TREASURY NOTES	286,708.98	6.875%	1.612%	01-Jul-03	15-May-06	1,049		500	250,000.00	263,232.50
FNMA BENCHMARK NOTES	1,102,092.00	5.250%	1.715%	24-Jun-03	15-Jun-06	1,087		531	1,000,000.00	1,029,375.00
FNMA NOTES	1,976,948.00	2.500%	3.100%	15-Jun-04	15-Jun-06	730		531	2,000,000.00	1,982,500.00
FNMA NOTES (CALLABLE)	449,437.50	2.580%	2.632%	06-Jan-04	29-Jun-06	905		545	450,000.00	446,343.75
FHLMC GLOBAL REFERENCE NOTES	530,839.84	5.500%	3.820%	17-Jul-02	15-Jul-06	1,459		561	500,000.00	517,500.00
FHLMC GLOBAL REFERENCE NOTES	263,939.65	5.500%	2.751%	31-Jul-03	15-Jul-06	1,080		561	245,000.00	253,575.00
FNMA NOTES (CALLABLE)	300,000.00	2.500%	2.499%	31-Mar-04	11-Aug-06	863		588	300,000.00	296,906.25
FHLB TAP BONDS	525,527.34	5.250%	3.883%	17-Jul-02	15-Aug-06	1,490		592	500,000.00	515,550.00
FHLB NOTES (CALLABLE)	514,800.00	2.400%	2.786%	12-Dec-03	28-Aug-06	990		605	520,000.00	513,500.00
US TREASURY NOTES	249,423.83	2.500%	2.620%	01-Oct-04	30-Sep-06	729		638	250,000.00	247,841.75
FFCB DESIGNATED BONDS	986,663.70	2.375%	2.492%	24-Sep-03	02-Oct-06	1,104		640	990,000.00	976,078.13
US TREASURY NOTES	834,316.41	6.500%	3.618%	17-Jul-02	15-Oct-06	1,551		653	750,000.00	794,941.50
FHLB TAP NOTES	1,006,484.38	2.750%	2.491%	05-Apr-04	15-Nov-06	954		684	1,000,000.00	990,937.50
FNMA NOTES	833,713.44	2.625%	3.010%	04-Nov-04	15-Nov-06	741		684	840,000.00	830,812.50
FHLB NOTES	743,477.25	2.750%	3.194%	01-Dec-04	15-Dec-06	744		714	750,000.00	742,968.75
FNMA BENCHMARK NOTES	520,019.53	5.000%	4.017%	17-Jul-02	15-Jan-07	1,643		745	500,000.00	516,875.00
FHLB TAP NOTES	607,517.58	4.875%	3.251%	27-Sep-02	15-Feb-07	1,602		776	570,000.00	587,990.63
FHLMC NOTES	1,944,706.00	2.375%	3.469%	15-Jun-04	15-Feb-07	975		776	2,000,000.00	1,963,125.00
FNMA NOTES	931,481.65	2.375%	3.113%	06-May-04	15-Feb-07	1,015		776	950,000.00	931,190.00
FNMA NOTES	524,277.34	5.250%	4.111%	17-Jul-02	15-Apr-07	1,733		835	500,000.00	520,937.50
FNMA NOTES	371,587.89	5.250%	3.798%	09-Aug-02	15-Apr-07	1,710		835	350,000.00	364,656.25
FNMA NOTES (CALLABLE)	748,875.00	2.500%	2.552%	31-Mar-04	19-Apr-07	1,114		839	750,000.00	736,406.25
US TREASURY NOTES	843,339.84	6.625%	3.780%	17-Jul-02	15-May-07	1,763		865	750,000.00	809,091.80

CITY OF ALAMEDA  
INVESTMENT PORTFOLIO FOR THE QUARTER ENDING DECEMBER 31, 2004

DESCRIPTION	BOOK VALUE	RATE	YIELD	PURCHASE DATE	MATURITY DATE	LIFE TO MATURITY DAYS	REMAINING LIFE DAYS	PAR VALUE	MARKET VALUE
US TREASURY NOTES	1,169,905.28	3.125%	3.282%	15-Jun-04	15-May-07	1,064	865	1,175,000.00	1,174,403.10
FHLB TAP NOTES	601,230.00	3.750%	3.679%	30-Jun-04	15-Aug-07	1,141	957	600,000.00	605,250.00
FHLB TAP NOTES	1,001,601.56	3.750%	3.695%	17-Jun-04	15-Aug-07	1,154	957	1,000,000.00	1,008,750.00
FNMA GLOBAL BENCHMARK NOTES	454,828.13	6.625%	3.523%	10-Dec-02	15-Oct-07	1,770	1,018	400,000.00	433,500.00
FHLB NOTES	1,055,414.06	3.500%	3.361%	10-Nov-03	15-Nov-07	1,466	1,049	1,050,000.00	1,050,328.13
FFCB NOTES	1,009,450.00	3.750%	3.449%	07-Jul-04	19-Nov-07	1,230	1,053	1,000,000.00	1,007,812.50
FHLMC GOLD MBS POOL #M90791	762,679.39	4.000%	3.286%	14-Jan-03	01-Jan-08	1,813	1,096	750,714.87	753,843.11
FNMA NOTES	859,511.72	5.750%	2.406%	24-Jun-03	15-Feb-08	1,697	1,141	750,000.00	798,984.38
FHLMC GLOBAL REFERENCE NOTES	603,186.65	5.750%	3.499%	31-Jul-03	15-Apr-08	1,720	1,201	550,000.00	587,296.88
FHLMC GLOBAL REFERENCE NOTES	545,882.50	5.750%	3.605%	06-Aug-03	15-Apr-08	1,714	1,201	500,000.00	593,906.25
FNMA BENCHMARK NOTES	612,200.60	6.000%	3.142%	11-Feb-04	15-May-08	1,555	1,231	550,000.00	591,765.63
FHLB TAP NOTES	1,006,797.00	3.750%	3.559%	08-Oct-04	15-Aug-08	1,407	1,323	1,000,000.00	1,002,500.00
US TREASURY NOTES	896,800.78	3.250%	3.332%	09-Dec-03	15-Aug-08	1,711	1,323	900,000.00	895,816.80
FHLMC NOTES	588,502.80	3.625%	4.118%	08-Jun-04	15-Sep-08	1,560	1,354	600,000.00	600,187.50
FHLMC NOTES	980,703.13	3.625%	4.124%	17-Jun-04	15-Sep-08	1,551	1,354	1,000,000.00	1,000,312.50
FHLB NOTES	586,713.00	3.625%	4.177%	08-Jun-04	14-Nov-08	1,620	1,414	600,000.00	598,312.50
FHLMC NOTES	538,711.00	5.750%	3.980%	06-May-04	15-Mar-09	1,774	1,535	500,000.00	538,750.00
FHLMC NOTES	582,261.00	3.375%	4.039%	06-May-04	15-Apr-09	1,805	1,566	600,000.00	591,937.50
FNMA NOTES	995,346.00	4.250%	4.356%	17-Jun-04	15-May-09	1,793	1,596	1,000,000.00	1,017,500.00
FNMA NOTES	445,630.80	6.375%	3.746%	31-Aug-04	15-Jun-09	1,749	1,627	400,000.00	441,375.00
FHLMC MBS 5YR BALLOON POOL #M90935	1,809,366.35	5.000%	3.934%	30-Jul-04	01-Jul-09	1,797	1,643	1,767,390.82	1,806,363.43
FHLMC NOTES	408,342.00	4.250%	3.773%	31-Aug-04	15-Jul-09	1,779	1,657	400,000.00	407,000.00
FHLMC GLOBAL NOTES	1,334,210.40	6.625%	4.025%	06-Dec-04	15-Sep-09	1,744	1,719	1,200,000.00	1,342,125.00
TOTAL AND AVERAGES	\$53,043,074.02	3.5909%	2.9743%			1,207	797	\$51,818,105.69	\$52,467,511.22
3. MEDIUM-TERM NOTES (CORP. BONDS)									
MERRILL LYNCH & CO NOTES MTN	500,000.00	4.540%	4.540%	06-Mar-02	08-Mar-05	1,098	67	500,000.00	501,661.50
BANK OF AMERICA SUB NOTES	272,444.90	7.625%	1.464%	09-Jun-03	15-Apr-05	676	105	245,000.00	248,237.92
ASSOCIATES CORP NA NOTES	231,325.00	6.200%	8.050%	22-May-00	16-May-05	1,820	136	250,000.00	253,087.75
MORGAN STANLEY DW NOTES	534,250.00	7.750%	5.860%	19-Apr-01	15-Jun-05	1,518	166	500,000.00	510,912.50
WAL MART STORES INC CORPORATE NOTES	493,987.50	5.875%	2.020%	03-Mar-03	15-Oct-05	957	288	450,000.00	460,230.30
CITIFINANCIAL COMMERCIAL CREDIT CO NOTES	498,395.00	6.125%	6.200%	12-Jan-01	01-Dec-05	1,784	335	500,000.00	513,388.50
CITIFINANCIAL COMMERCIAL CREDIT CO NOTES	498,395.00	6.125%	6.200%	12-Jan-01	01-Dec-05	1,784	335	500,000.00	513,388.50
AMERICAN GENERAL FINANCE CORP NOTES	524,235.00	5.910%	3.329%	28-Jun-04	12-Jun-06	714	528	500,000.00	517,375.50
GENERAL ELECTRIC CAP CORP NOTES	1,244,275.00	3.125%	3.372%	01-Dec-04	09-Nov-06	708	678	1,250,000.00	1,244,201.25
WELLS FARGO CO CORPORATE NOTES	724,495.42	6.550%	3.313%	23-Nov-04	01-Dec-06	738	700	682,000.00	721,078.60
COUNTRYWIDE HOME CORPORATE NOTES	780,750.00	5.500%	3.833%	21-Jun-04	01-Feb-07	955	762	750,000.00	777,461.25
CITIGROUP GLOBAL MARKETS NOTES	825,083.81	7.375%	3.627%	29-Dec-04	15-May-07	867	865	761,000.00	824,093.75
AMERICAN GENERAL FINANCE CORPORATE NOTES	629,022.00	4.500%	3.099%	09-Mar-04	15-Nov-07	1,346	1,049	600,000.00	611,302.80
HOUSEHOLD FINANCE CO. NOTES	719,070.75	4.625%	3.094%	05-Jun-03	15-Jan-08	1,685	1,110	675,000.00	691,153.43
BANK OF AMERICA CORPORATE NOTES	895,374.06	6.375%	4.165%	30-Jun-04	15-Feb-08	1,325	1,141	834,000.00	897,517.44
GENERAL ELECTRIC CAPITAL CORP NOTES	655,843.50	3.500%	3.286%	07-Oct-03	01-May-08	1,668	1,217	650,000.00	645,156.20
TOTAL AND AVERAGES	\$10,026,946.94	5.5052%	3.9119%			1,228	593	\$9,647,000.00	\$9,930,247.19

CITY OF ALAMEDA  
INVESTMENT PORTFOLIO FOR THE QUARTER ENDING DECEMBER 31, 2004

DESCRIPTION	BOOK VALUE	RATE	YIELD	PURCHASE DATE	MATURITY DATE	LIFE TO MATURITY	REMAINING LIFE DAYS	PAR VALUE	MARKET VALUE
<b>4. INVESTMENTS WITH TRUSTEES</b>									
BNY - WELLS FARGO TREASURY PLUS	161.52	1.4600%	1.4600%	2-Oct-04	01-Jan-05	91	1	161.52	161.52
BNY - INVESTMENT AGREEMENT	1,922,451.54	5.1500%	5.1500%	2-Oct-04	01-Jan-05	91	1	1,922,451.54	1,922,451.54
BNY - WELLS FARGO TREASURY PLUS	20,450.77	1.4600%	1.4600%	2-Oct-04	01-Jan-05	91	1	20,450.77	20,450.77
BNY - WELLS FARGO TREASURY PLUS	\$9,496.75	1.4600%	1.4600%	2-Oct-04	01-Jan-05	91	1	\$9,496.75	\$9,496.75
BNY - WELLS FARGO TREASURY PLUS	\$8.06	1.4100%	1.4100%	2-Oct-04	01-Jan-05	91	1	\$8.06	\$8.06
BNY - WELLS FARGO TREASURY PLUS	2,659.73	1.4500%	1.4500%	2-Oct-04	01-Jan-05	91	1	2,659.73	2,659.73
BNY - WELLS FARGO TREASURY PLUS	\$47.54	1.4700%	1.4700%	2-Oct-04	01-Jan-05	91	1	\$47.54	\$47.54
BNY - AIG MATCHED FUNDING CORP.	1,433,631.98	5.1520%	0.0000%	15-Jun-04	01-Aug-19	5,525	5,326	1,433,631.98	1,433,631.98
BNY - WELLS FARGO TREASURY PLUS	6,112.88	1.4600%	1.4600%	2-Oct-04	01-Jan-05	91	1	6,112.88	6,112.88
BNY - WELLS FARGO TREASURY PLUS (RESERVE)	23,578.62	1.4600%	1.4600%	2-Oct-04	01-Jan-05	91	1	23,578.62	23,578.62
BNY - WELLS FARGO TREASURY PLUS	\$17.86	1.4200%	1.4200%	2-Oct-04	01-Jan-05	91	1	17.86	17.86
C.A.M.P. - MONEY MARKET (IMPROVEMENT FUND)	\$772,783.28	1.9400%	1.9400%	2-Oct-04	01-Jan-05	91	1	\$772,783.28	\$772,783.28
C.A.M.P. - MONEY MARKET (IMPROVEMENT FUND)	\$2,424,432.36	1.9400%	1.9400%	2-Oct-04	01-Jan-05	91	1	\$2,424,432.36	\$2,424,432.36
CDC FUNDING - INVESTMENT AGREEMENT	3,080,362.63	5.4000%	5.4000%	2-Oct-04	01-Jan-05	91	1	3,080,362.63	3,080,362.63
MBIA INVESTMENT AGREEMENT	829,950.00	0.0000%	0.0000%	1-Oct-03	01-Jan-05	458	1	829,950.00	829,950.00
U.S. TREAS. NOTES 1.625%, 1/31/05	\$1,084,973.91	1.6250%	1.6200%	2-Jun-04	31-Jan-05	243	31	\$1,084,000.00	\$1,083,830.63
US TREAS. NOTES 1.625%, 1/31/05	242,245.78	1.6250%	1.6200%	2-Jun-04	31-Jan-05	243	31	242,000.00	241,962.19
U.S. TREAS. NOTES 1.625%, 1/31/05	\$445,399.80	1.6250%	1.6200%	2-Jun-04	31-Jan-05	243	31	\$445,000.00	\$444,930.47
U.S. TREAS. NOTES 1.5% 2/28/05	183,913.75	1.5000%	1.5000%	2-Jun-04	28-Feb-05	271	59	\$184,000.00	\$183,871.20
U.S. TREAS. NOTES 6.50%, 5/15/05	367,507.97	6.5000%	6.2500%	1-Jun-04	15-May-05	348	135	\$351,000.00	\$356,128.11
LAIF-LIBRARY CONSTRUCTION & IMPROVEMENTS	\$9,055,552.46	2.0000%	2.0000%	2-Oct-04	01-Jan-05	91	1	\$9,055,552.46	\$9,055,552.46
UNION BANK - PROVIDENT INST. FUND	\$1,308,980.95	1.5700%	1.5700%	2-Oct-04	01-Jan-05	91	1	\$1,308,980.95	\$1,308,980.95
UNION BANK - PROVIDENT INST. FUND	2,804,317.09	1.5700%	1.5700%	2-Oct-04	01-Jan-05	91	1	2,804,317.09	2,804,317.09
UNION BANK - PROVIDENT INST. FUND	452,936.53	1.5700%	1.5700%	2-Oct-04	01-Jan-05	91	1	452,936.53	452,936.53
UNION BANK - PROVIDENT INST. FUND	265,942.31	1.5700%	1.5700%	2-Oct-04	01-Jan-05	91	1	265,942.31	265,942.31
MBIA GUARANTEED INVESTMENT CONTRACT	\$1,263,768.75	4.8600%	4.8600%	2-Oct-04	01-Jan-05	91	1	\$1,263,768.75	\$1,263,768.75
UNION BANK - PROVIDENT INST. FUND	547,532.66	1.5700%	1.5700%	2-Oct-04	01-Jan-05	91	1	547,532.66	547,532.66
UNION BANK - PROVIDENT INST. FUND	328,854.41	1.5700%	1.5700%	2-Oct-04	01-Jan-05	91	1	328,854.41	328,854.41
UNION BANK - PROVIDENT INST. FUND	16.43	1.5500%	1.5500%	2-Oct-04	01-Jan-05	91	1	16.43	16.43
UNION BANK - PROVIDENT INST. FUND	\$53.20	1.5800%	1.5800%	2-Oct-04	01-Jan-05	91	1	\$53.20	\$53.20
UNION BANK - U.S. TREASURY NOTES	463,413.44	3.5000%	3.4600%	2-Oct-04	15-Nov-06	774	684	481,000.00	485,059.64
UNION BANK - PROVIDENT INST. FUND	44,116.60	1.5700%	1.5700%	2-Oct-04	01-Jan-05	91	1	44,116.60	44,116.60
UNION BANK - PROVIDENT INST. FUND	\$17.45	1.5500%	1.5500%	2-Oct-04	01-Jan-05	91	1	\$17.45	\$17.45
UNION BANK - PROVIDENT INST. FUND	7.41	1.6200%	1.6200%	2-Oct-04	01-Jan-05	91	1	7.41	7.41
UNION BANK - PROVIDENT INST. FUND	20,070.09	1.5700%	1.5700%	2-Oct-04	01-Jan-05	91	1	20,070.09	20,070.09
CDC FUNDING GUARANTEE INVEST AGREEMENT	886,783.44	4.5100%	4.5100%	18-Dec-03	30-Dec-16	4,761	4,382	886,783.44	886,783.44
CDC FUNDING GUARANTEE INVEST AGREEMENT	5,875,943.98	1.3100%	1.3100%	18-Dec-03	01-Jun-06	896	517	5,875,943.98	5,875,943.98
UNION BANK - PROVIDENT INST. FUND	\$52.10	1.5900%	1.5900%	2-Oct-04	01-Jan-05	91	1	\$52.10	\$52.10
UNION BANK - PROVIDENT INST. FUND	17,599.68	1.5700%	1.5700%	2-Oct-04	01-Jan-05	91	1	17,599.68	17,599.68
AIG MATCHED FUNDING CORP. 5.202%	3,230,954.81	5.2000%	5.2000%	2-Oct-04	01-Jan-05	91	1	3,230,954.81	3,230,954.81
UNION BANK - PROVIDENT INST. FUND	68,149.34	1.5700%	1.5700%	2-Oct-04	01-Jan-05	91	1	68,149.34	68,149.34
UNION BANK - PROVIDENT INST. FUND	3.60	1.6700%	1.6700%	2-Oct-04	01-Jan-05	91	1	3.60	3.60
CDC FUNDING 1.31% GUARANTEE INVEST ACCT	19,181,362.79	1.3100%	1.3100%	2-Oct-04	01-Jan-05	91	1	19,181,362.79	19,181,362.79
UNION BANK - PROVIDENT INST. FUND	74,483.34	1.5700%	1.5700%	2-Oct-04	01-Jan-05	91	1	74,483.34	74,483.34
UNION BANK - PROVIDENT INST. FUND	2,381,485.80	1.5700%	1.5700%	2-Oct-04	01-Jan-05	91	1	2,381,485.80	2,381,485.80
AIG MATCHED FUNDING CORP 1/1/2014	8,426,002.59	0.0000%	0.0000%	2-Oct-04	01-Jan-05	91	1	8,426,002.59	8,426,002.59
<b>TOTAL AND AVERAGES</b>	<b>\$69,548,587.98</b>	<b>1.7158%</b>	<b>1.7142%</b>			<b>370</b>	<b>244</b>	<b>\$69,548,133.33</b>	<b>\$69,556,915.57</b>

CITY OF ALAMEDA  
INVESTMENT PORTFOLIO FOR THE QUARTER ENDING DECEMBER 31, 2004

DESCRIPTION	BOOK VALUE	RATE	YIELD	PURCHASE DATE	MATURITY DATE	LIFE TO MATURITY DAYS	REMAINING LIFE DAYS	PAR VALUE	MARKET VALUE
U S BANK - FIRST AMERICAN TREASURY	258,570.72	1.2700%	1.2700%	2-Oct-04	01-Jan-05	91	1	258,570.72	258,570.72
TOTAL AND AVERAGES	\$258,570.72	1.2700%	1.2700%			91	1	\$258,570.72	\$258,570.72
6. LOCAL AGENCY INVESTMENT	\$16,947,026.14	2.0000%	2.0000%	2-Oct-04	01-Jan-05	91	1	\$16,947,026.14	\$16,947,026.14
TOTAL AND AVERAGES	\$16,947,026.14	2.0000%	2.0000%			91	1	\$16,947,026.14	\$16,947,026.14

# CITY OF ALAMEDA

## Memorandum

DATE: January 27, 2005

TO: Honorable Mayor and Councilmembers

FROM: William Norton  
Interim City Manager

RE: Recommendation to Approve Agreement with Ameresco Half Moon Bay, LLC for the Purchase of Power from Landfill Gas Generation

---

### **Background:**

Alameda Power & Telecom (Alameda P&T) has been investigating a number of possibilities to meet its pending need for additional power supply. Earlier this year, the Public Utilities Board (PUB) approved the pursuit of power purchases from proposed wind and landfill gas-fueled electricity generating projects. The wind and landfill gas proposals provided prices and conditions that are extremely competitive with conventional sources of power and purchases from the wholesale market, but with the additional benefit of contributing to the high level of renewable resources in Alameda P&T's power supply portfolio.

At its November 16, 2004 meeting, the City Council approved an agreement to purchase 1.5 megawatts (MW) of power from a landfill gas project proposed for Santa Cruz County. At its December 7, 2004 meeting, the City Council approved an agreement to purchase 10 MW of power from an existing wind project in Solano County. Delivery of power from the wind project began January 1, 2005.

The subject of this report is a power purchase agreement for a proposed landfill gas project to be built at the Ox Mountain landfill near Half Moon Bay in San Mateo County. The PUB approved the subject agreement at its January 24, 2005, meeting. Because the term for this agreement exceeds 15 years, the agreement must be ratified by the City Council as required by the City Charter.

### **Discussion:**

The proposed power purchase agreement is between Ameresco Half Moon Bay, LLC (Ameresco), a limited liability subsidiary of Ameresco Incorporated, and Alameda P&T for the delivery of between 2.6 and 6.3 net MW of power (depending on the plant's size) and the associated environmental attributes. This agreement is the *second* of three or four agreements with Ameresco that are expected to be forthcoming over the next several months.

Based on the life-cycle fuel availability, Ameresco plans to build a 13.4 MW facility at the site with an associated net capacity of 12.6 MW delivered at the point of interconnection with the PG&E system. However, under the terms of the agreement Ameresco can choose to build a smaller plant,

as small as 5.3 net MW. A permit is required from the Bay Area Air Quality Management District (BAAMQD) and will be the primary factor determining the size of the plant. Like the previous landfill gas and wind projects, Alameda P&T has worked with the City of Palo Alto in facilitating the project proposal and negotiating the power purchase agreement. The power production will be shared equally with Palo Alto. Alameda P&T's 50 percent share of the maximum and minimum capacity plants would be 6.3 and 2.7 net MW, respectively. Ameresco must commit to the specific plant size within 7 days of obtaining the authority to construct the project from BAAMQD.

The major provisions of the power purchase agreement are:

- **Price:** The price is specified over the life of the contract, initially set at \$52 per MW-hour, and escalating at 1.5 percent per year. This price is competitive with projected wholesale electricity prices. The annual cost to Alameda P&T for the maximum sized plant will range from approximately \$2,627,000 initially to \$3,485,000 by the end of the contract;
- **Term:** 20 years commencing with the commercial operation date;
- **Milestones:** Ameresco must meet certain milestones in the development of the project. If it does not, it will be subject to penalties. Overall, Ameresco has approximately 3 years to complete the plant. However, Ameresco has indicated that it actually expects to have the plant operating much sooner, perhaps in less than a year;
- **Performance:** The project is expected to generate base-load power with a capacity factor in excess of 90 percent. If the plant's availability drops below 70 percent over a 24-month period, the price will be reduced by 7.5 percent. If the plant's capacity factor drops below 60 percent over a 24-month period, Ameresco would be in default and subject to damages;
- **Environmental Attributes:** Alameda P&T will receive all of the environmental attributes associated with its share of the generated energy;
- **Expansion of Plant:** Alameda P&T will have a 60-day right of first refusal to purchase any energy resulting from expansion of the plant;
- **Environmental Regulations:** Ameresco will comply with all environmental regulations and comply, at their expense, with future changes in law.

The agreement is on file in the office of the City Clerk.

The power to be delivered under this agreement meets Alameda P&T's goal of obtaining economic and stably priced power. Since the plant is located close to the Bay Area, there is possible protection from transmission congestion pricing exposure and some contribution to area reliability.

#### **Budget Consideration/Financial Impact:**

This purchase power agreement provides Alameda P&T the ability to obtain power that is at or below current and projected future market prices. In addition, this power comes from a renewable energy source with the associated environmental attributes. These attributes have monetary value and could be sold separately if desired. The cost of this power will be taken into consideration in the development of Alameda P&T's power cost budget for Fiscal Year 2005-2006 and in longer-term projections.



Honorable Mayor and Councilmembers

January 27, 2005

Page 3

**Recommendation:**

The City Manager recommends approval of the Agreement with Ameresco Half Moon Bay, LLC for the purchase of power from landfill gas generation.

Respectfully submitted,

  
Valerie O. Fong  
General Manager  
Alameda Power & Telecom

cc: Public Utilities Board

# **CITY OF ALAMEDA**

## **MEMORANDUM**

Date: January 18, 2005

To: Honorable Mayor and  
Councilmembers

From: William C. Norton  
Interim City Manager

Re: Recommendation to Adopt a Resolution Authorizing the Application to Caltrans for a Bicycle Transportation Account Grant for Improvements to the Bay Farm Island Bicycle Bridge Approach

---

### BACKGROUND

The California Department of Transportation (Caltrans) is accepting applications for bicycle projects for fiscal year 2005/2006 through the Bicycle Transportation Account (BTA). To apply, a public agency must have a current approved bicycle master plan. Agencies are allowed to apply for up to 25% of the total statewide funding which for FY 2005/2006 is approximately \$7 million.

### DISCUSSION/ANALYSIS

The Interim City Manager has reviewed candidate projects in the City's Bicycle Master Plan and recommends submitting an application to design and construct safety improvements on the northern side of the Bay Farm Island Bike Bridge approach. This is part of project number five in the Plan.

The Bay Farm Island Bike Bridge is always in use by bicyclists and pedestrians crossing between Alameda and Bay Farm Island. A significant part of the usage is by students of Lincoln Middle School who live on Bay Farm Island.

The path from the bridge to Fernside Boulevard is 10 feet wide, except in front of the Aeolian Yacht Club where the path becomes a 5-foot wide sidewalk. Caltrans design guidelines generally recommend that bicycle paths be at least 10 feet wide to maximize safety. To avoid conflicts between bicyclists and pedestrians, the proposed project would relocate the curb to provide a 10-foot bicycle path and 5-foot sidewalk up to the Alameda Unified School District (AUSD) property. This project will complement additional work that is being done in coordination with the AUSD to reconfigure the student drop-off area at Lincoln Middle School.

In addition, the project would extend the bike lanes on Fernside Boulevard to Washington Court and install a crosswalk with enhanced signing and striping at the intersection of Fernside Boulevard and Washington Court. This will especially benefit southbound bicyclists and would facilitate their transition from the bike lanes to the newly constructed path and the bike bridge.

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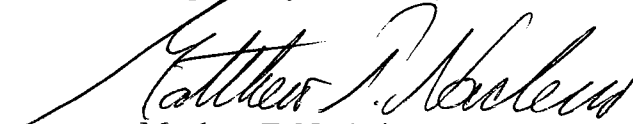
BUDGET CONSIDERATION/FINANCIAL IMPACT

The project is not currently identified as a CIP project in the budget but will be included following funding approval as a mid-year budget adjustment. The estimated total project cost is \$285,000. If awarded, the project will be 90% funded by BTA grant monies. The 10% local match of \$28,500 will be provided from the City's local Measure B allocation.

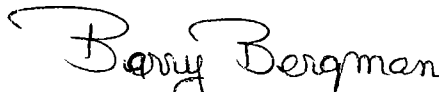
RECOMMENDATION

The Interim City Manager recommends that the City Council, by motion, adopt a resolution authorizing the filing of an application with Caltrans for BTA funds for fiscal year 2005/06, authorize the allocation of Measure B funds as a local match and authorize the Public Works Director to execute all necessary documents to implement this project.

Respectfully submitted,



Matthew T. Naclerio  
Public Works Director

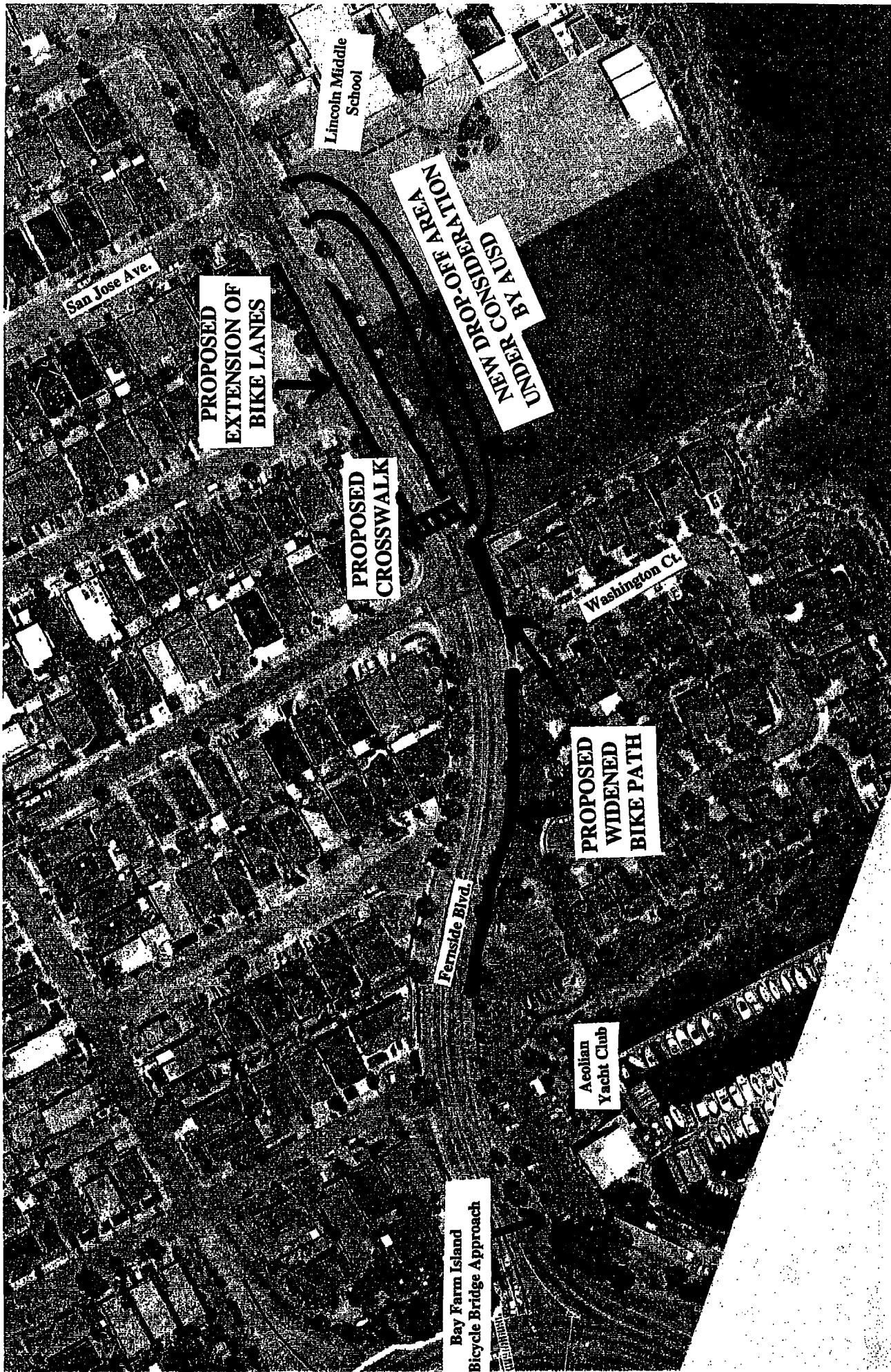


By: Barry Bergman *by gc*  
Program Specialist

MTN:BB:gc

cc: Measure B Watchdog Committee  
Sally Kueh, Finance

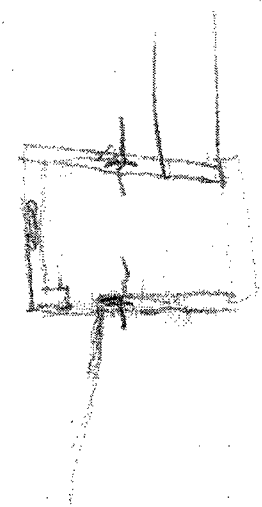
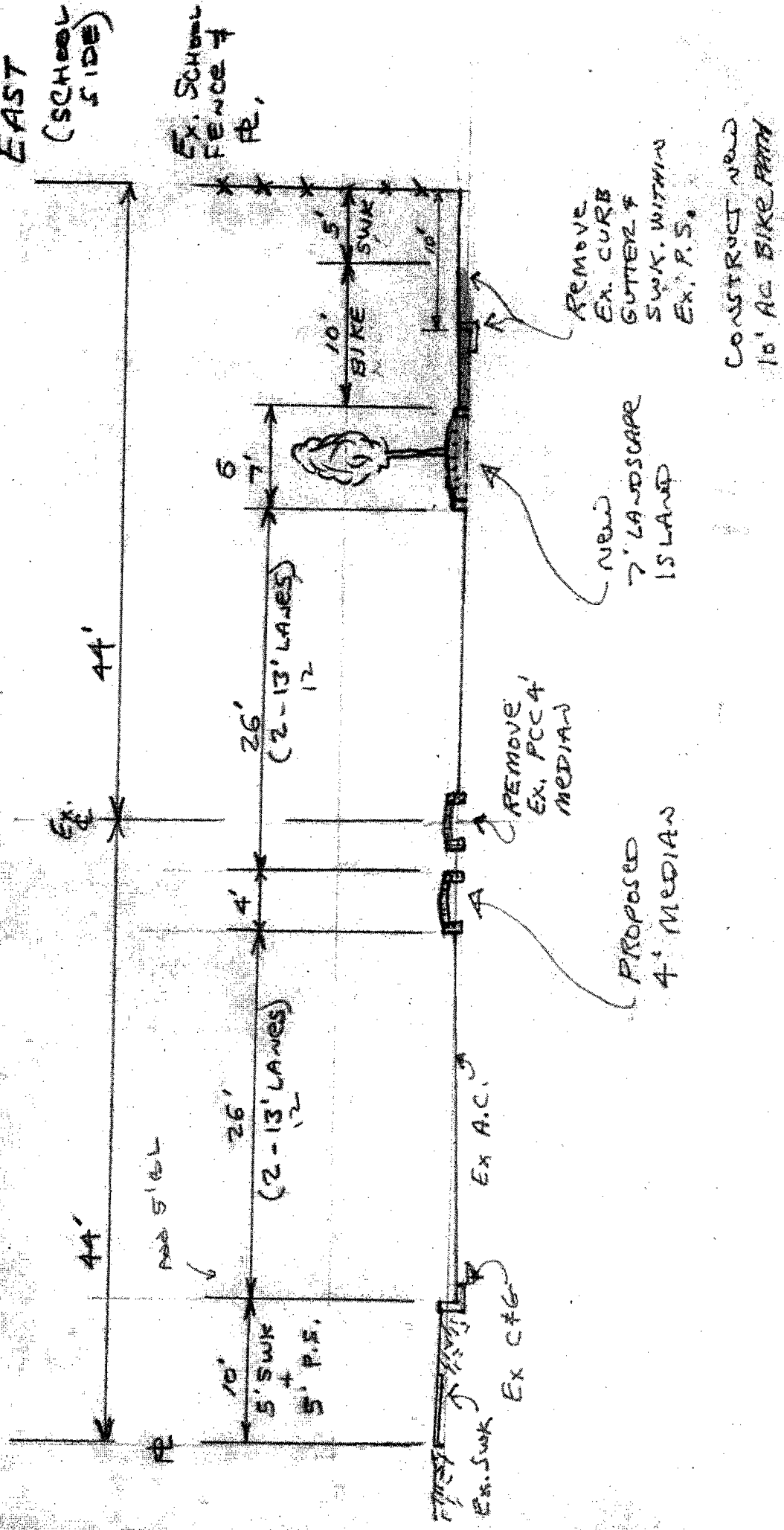
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Proposed Improvements to Bike Bridge Access from  
Fernside Blvd. and Lincoln Middle School

WEST

EAST  
(SCHOOL  
SIDE)



CITY OF ALAMEDA RESOLUTION NO. \_\_\_\_\_

AUTHORIZING THE APPLICATION TO CALTRANS FOR A BICYCLE  
TRANSPORTATION ACCOUNT (BTA) GRANT FOR IMPROVEMENTS TO  
THE BAY FARM ISLAND BICYCLE BRIDGE APPROACH

WHEREAS, the California Department of Transportation (Caltrans) is accepting applications for bicycle projects for fiscal year 2005/2006 through the Bicycle Transportation Account (BTA); and

WHEREAS, the City of Alameda wishes to apply to Caltrans for the funding of safety improvements to the northern approach of the Bay Farm Island Bicycle Bridge; and

WHEREAS, BTA funding guidelines require that local agencies fund at least 10% of the total project cost, or \$28,500; and

WHEREAS, the City has \$28,500 in funds available from its Measure B revenue allocation to provide the local matching funds;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Alameda authorize the filing of an application with Caltrans for BTA funds for the project described above, authorize the allocation of Measure B funds for the necessary 10% local match and authorize the Public Works Director to execute any necessary documents.

\* \* \* \* \*

I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Council of the City of Alameda in regular meeting assembled on the 1st day of February, 2005, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

IN WITNESS, WHEREOF, I have hereunto set my hand and affixed the official seal of said City this 1<sup>st</sup> day of February 2005.

\_\_\_\_\_  
Lara Weisiger, City Clerk  
City of Alameda

Resolution # 4-E CC  
2-1-05

Approved as to Form  
CITY ATTORNEY

# **CITY OF ALAMEDA**

## **MEMORANDUM**

Date: January 18, 2005

To: Honorable Mayor and  
Councilmembers

From: William C. Norton  
Interim City Manager

Re: Recommendation to Adopt a Resolution Authorizing the Application to the Metropolitan Transportation Commission (MTC) for a Regional Bicycle and Pedestrian Program Grant for the Cross Alameda Trail Phase I

---

### **BACKGROUND**

The Metropolitan Transportation Commission (MTC) has allocated funds for fiscal years 2005/06 and 2006/07 through its Regional Bicycle and Pedestrian Program. Through this program, local jurisdictions may apply for funding for capital projects that will contribute to emissions reduction efforts in the region. Funding for the program originates from the federal Congestion Mitigation and Air Quality (CMAQ) Program, which funds projects that reduce air pollution. Agencies are allowed to apply for between \$300,000 and \$4,000,000. A total of \$8 million over the two fiscal years is available for the nine-county Bay Area.

### **DISCUSSION/ANALYSIS**

The Public Works Department is currently completing a feasibility study for the Cross Alameda Trail (Trail), which would extend from Alameda Point to Tilden Way. The Trail alignment is based on routes identified in the General Plan and Bicycle Master Plan and would primarily utilize the former Alameda Belt Line route. Once constructed the Trail could be designated as part of the San Francisco Bay Trail, a 400+ mile trail being constructed along the shoreline of the San Francisco and San Pablo Bays. During the next few months, the feasibility study will be presented to the Transportation Commission, Recreation & Parks Commission, Planning Board and City Council.

This grant proposal focuses on construction of the first phase of the project, a linear park and trail to be located on the south side of Ralph Appezato Memorial Parkway, extending from Main Street to Webster Street. In addition to being specifically identified in the City's General Plan and Bicycle Master Plan, this project is included in the recommendations of the draft West Alameda Neighborhood Plan. Phase I of the Trail would enhance bicycle and pedestrian access to the Webster Street business district, College of Alameda, the former FISC site, Alameda Point, and other west end destinations. It would also connect to the existing Main Street Greenway to within one block of the bike lanes on Atlantic Avenue.

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As part of the Regional Bicycle and Pedestrian Program process, all projects in the County were evaluated by the Alameda County Congestion Management Agency (ACCMA). The Trail Phase I was recommended as a high priority project identified by the CMA board, so the City has been invited to submit an application to MTC for funding.

The application is requesting \$2 million to be used to purchase the right-of-way for the linear park, the baseline project design and construction. While the program requires that project sponsors contribute a minimum of 11.47% local match, projects that contribute additional funds receive additional points in the ranking system.

The City Attorney's Office and parent companies of the Alameda Belt Line (Union Pacific and Burlington Northern) are in discussion to allow us to separate these segments from rail yard segment and purchase the segment from Main Street to Webster Street.

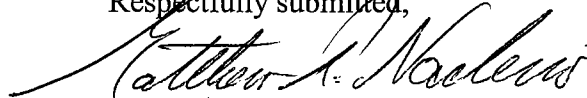
#### BUDGET CONSIDERATION/FINANCIAL IMPACT

The project is not currently identified as a CIP project in the budget but will be included following funding approval. The estimated total project cost is \$2.4 million. If awarded, \$2 million (83%) of the project will be funded by RBPP grant monies. The local match of \$410,083 would be provided from available funds in the City's allocations for Measure B (\$200,000) and the Transportation Development Act (TDA) Article 3 (\$210,083). The use of TDA funds for this purpose requires approval from MTC. There will be no impact to the General Fund.

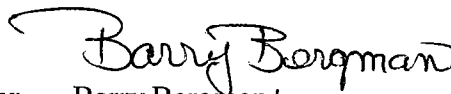
#### RECOMMENDATION

The Interim City Manager recommends that the City Council, by motion, adopt a resolution authorizing the filing of an application with MTC for a Regional Bicycle and Pedestrian Program funds for fiscal year 2005/06 and 2006/07, authorize the allocation of Measure B and TDA funds as a local match, and authorize the Public Works Director to execute all necessary documents to implement this project.

Respectfully submitted,



Matthew T. Naclerio  
Public Works Director



By: Barry Bergman  
Program Specialist

MTN:BB:gc

cc: Measure B Watchdog Committee  
Sally Kueh, Finance

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CITY OF ALAMEDA RESOLUTION NO. \_\_\_\_\_

AUTHORIZING THE APPLICATION TO THE METROPOLITAN  
TRANSPORTATION COMMISSION (MTC) FOR A REGIONAL BICYCLE  
AND PEDESTRIAN PROGRAM (RBPP) GRANT FOR THE CROSS  
ALAMEDA TRAIL PHASE I

WHEREAS, the Metropolitan Transportation Commission (MTC) has allocated  
RBPP funds for bicycle projects for the fiscal years 2005/06 and 2006/07; and

WHEREAS, the City of Alameda wishes to apply to MTC for funding for the  
design and construction of the Cross Alameda Trail Phase I; and

WHEREAS, RBPP project guidelines require that local agencies fund a minimum  
of 11.5% of the total project cost; and

WHEREAS, the City has \$200,000 in funds available from its local Measure B  
allocation and \$210,083 in Transportation Development Act Article 3 funds (16.7%) to provide  
as local matching funds;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of  
Alameda authorize the filing of an application with MTC for allocation of RBPP funds for the  
project described above, authorize the local matching funds, and authorize the Public Works  
Director to execute any necessary documents.

\* \* \* \* \*

I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted  
and passed by the Council of the City of Alameda in regular meeting assembled on the 1st day of  
February, 2005, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

IN WITNESS, WHEREOF, I have hereunto set my hand and affixed the official seal of said City  
this 1<sup>st</sup> day of February 2005.

\_\_\_\_\_  
Lara Weisiger, City Clerk  
City of Alameda

**Resolution # 4-F CC**  
**2-1-05**

Approved as to Form

CITY ATTORNEY

# MEMORANDUM

## *City of Alameda*

**TO:** Honorable Mayor and  
Council Members

**FROM:** William C. Norton  
Interim City Manager

**DATE:** January 24, 2005

**RE:** **Resolution Approving Submittal to the Office of Library Construction  
of a Revised Application Incorporating a Flat Parking Lot and  
Budget Adjustments**

### BACKGROUND

After a complete review of parking options and a thorough value engineering process, a revision to the Main Library parking plan has been prepared, deleting the small parking structure and replacing it with a 44-space flat parking lot. On December 13, 2004, the revised parking plan was approved by the Planning Board. The Project Manager and Contractor have revised the project drawings and budget to reflect the requirements of this new plan.

### DISCUSSION

This change in our project must be approved by the Office of Library Construction. In order to receive approval, the City of Alameda must submit a revised application packet. Included in the application are the changes in project description and project budget, including the supplemental funding previously approved by the City Council.

In addition to submission of the required application and budget documents, the Office of Library Construction requires formal approval by the City Council, in the form of a Resolution, which is attached. The Resolution describes the changes in the project and the additional supplemental funds. In addition, it repeats the commitments made by the Council in June 2002 to make the funds available, to certify the budget, to build and operate the facility for a period of 40 years<sup>1</sup>, dedicated to public library direct service.

A copy of the revised Application is available in the office of the City Clerk.

### RECOMMENDATION

---

<sup>1</sup> The Title 5 Regulations (January, 2002) governing the *California Reading and Literacy Improvement and Public Library Construction and Renovation Bond Act* require the grantee's governing body to commit to operate the facility for 40 years, and during that period the facility must be dedicated to providing direct public library service.

The Interim City Manager recommends that the City Council approved the Resolution approving the submittal of the revised application form to the Office of Library Construction.

Respectfully submitted,

William C. Norton  
Interim City Manager

By:   
Susan H. Hardie  
Library Director

CITY OF ALAMEDA RESOLUTION NO. \_\_\_\_\_

APPROVING SUBMITTAL OF A REVISED APPLICATION, INCORPORATING A FLAT PARKING LOT AND BUDGET ADJUSTMENTS, TO THE OFFICE OF LIBRARY CONSTRUCTION UNDER THE CALIFORNIA READING AND LITERACY IMPROVEMENT AND PUBLIC LIBRARY CONSTRUCTION AND RENOVATION BOND ACT OF 2000.

WHEREAS, the City of Alameda was awarded \$15,487,942 by the State of California to pay 65 percent of the cost of constructing the new Main Library; and

WHEREAS, included in the project were plans for a small parking structure adjacent to the Main Library; and

WHEREAS, since the development of the plans and the budget for the Main Library, a complete review of parking needs at the Main Library has been undertaken and the City Council has determined that the interest of our community and of the Library will be better served by a flat parking lot; and

WHEREAS, the project drawings and budget have been revised to account for the change to a flat parking lot;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Alameda that the Council hereby certifies and declares the foregoing recitals are true and correct.

BE IT FURTHER RESOLVED that the City Council hereby certifies the following:

- A. The City will provide the local matching fund amount of \$8,339,667 as identified on line 30 of the Library Project Budget, Attachment 1, as required by Education Code section 19995(a).
- B. The City will provide the supplemental funds amount of \$3,672,090, as identified on line 38 of the Library Project Budget, Attachment 1, necessary to complete the project at the level stated in the Library Project Budget.
- C. The City will make available the local matching and supplemental funds specified in the Library Project Budget when they are needed to meet cash flow requirements for the project.
- D. The City will claim credit for land and architectural and engineering fees in the amount of \$943,482, as shown on line 36 of the Library Project Budget, Attachment 1.

E. The City certifies the project budget, as contained in the Library Project Budget section of the Application form.

F. All information contained in the Application form and required supporting documents is accurate and truthful.

G. The City will operate the completed facility and will provide public library direct service.

H. The facility shall be dedicated to public library direct service use for a period of 40 years following completion of the project.

\* \* \* \* \*

**Library Project Budget** (All projects except Multipurpose Projects)

If there are no costs in any line item below for the project, specify by putting a zero "0" in the blank provided.

	<u>Eligible</u>	<u>Ineligible</u>
1) New Construction..... >	\$ 11,730,000	\$ 1,760,766
2) Remodeling Construction..... >	\$ 0	\$ 0
3) Contingency..... >	\$ 1,173,000	\$ 1,740,000
4) Appraised Value of Building..... >	\$ 0	\$ 0
5) Appraised Value of Land..... >	\$ 785,000	\$ 0
6) Site Development..... >	\$ 2,686,101	\$ 0
7) Site Demolition..... >	\$ 210,811	\$ 0
8) Site Permits & Fees..... >	\$ 163,108	\$ 0
9) Site Option to Purchase Agreement..... >	\$ 0	\$ 0
10) Furnishings & Equipment Costs..... >	\$ 3,971,391	\$ 0
11) Signage..... >	\$ 46,658	\$ 0
12) Architectural & Engineering Costs..... >	\$ 1,788,553	\$ 0
13) Construction Cost Estimator Fees..... >	\$ 51,200	\$ 0
14) Interior Designer Fees..... >	\$ 202,983	\$ 0
15) Geotechnical/Geohazard Reports..... >	\$ 7,000	\$ 0
16) Hazardous Materials Consultant Fees..... >	\$ 7,200	\$ 0
17) Energy Audit, Structural Engineering, Feasibility & ADA Studies..... >	\$ 0	\$ 0
18) Library Consultant Fee..... >	\$ 17,770	\$ 0
19) Construction Project Management..... >	\$ 622,643	\$ 0
20) Other Professional Fees..... >	\$ 307,705	\$ 0
21) Local Project Administration Costs..... >	\$ 56,496	\$ 0
22) Works of Art..... >	\$ 0	\$ 0
23) Relocation Costs & Moving Costs..... >	\$ 0	\$ 71,324
24) Acquisition of Library Materials..... >	\$ 0	\$ 100,000
25) Other (Specify): _____ >	\$ 0	\$ 0
26) Other (Specify): _____ >	\$ 0	\$ 0
27) Other (Specify): _____ >	\$ 0	\$ 0
28) TOTAL PROJECT COSTS:..... >	\$ 23,827,619	\$ 3,672,090

**Sources of Project Revenue** (All projects except Multipurpose Projects)

29) State Matching Funds (65% of Line 28 <sup>1</sup> Eligible Costs).....	>	\$	15,487,952
30) Local Matching Funds (Line 28 Eligible Costs minus Line 29).....	>	\$	8,339,667

*[Must also equal the total of Lines 31 - 35]***Sources of Local Matching Funds:**

31) City.....	>	\$	8,339,667
32) County.....	>	\$	0
33) Special District.....	>	\$	0
34) Private.....	>	\$	0
35) Other (Specify): .....	>	\$	0
36) Local Credits [Land <sup>2</sup> and A&E Fees].....	>	\$	943,482
37) Adjusted Local Match [Line 30 minus Line 36].....	>	\$	7,396,185
38) Supplemental Local Funds [Same as Line 28 ineligible].....	>	\$	3,672,090
39) <b>TOTAL PROJECT INCOME:</b> [Add Lines 29, 30, and 38].....	>	\$	27,499,709

<sup>1</sup> Up to a maximum of \$20,000,000<sup>2</sup> Land credit is not allowed for land acquired by funds from the "Class Size Reduction Kindergarten-University Public Education Facilities Bond Act of 1998" [See Education Code section 19995 (c) which references Part 68 (commencing with section 100400 of the Education Code)]**Projected Library Operating Budget**(New Public Libraries, including Conversion Projects except Multipurpose Projects)**EXPENDITURES**

	INITIAL START-UP EXPENSES	ANNUAL EXPENSES
1. Salaries/Benefits	> \$ 0	\$ 1,752,247
2. Facilities Costs	> \$ 0	\$ 200,805
Insurance		
Maintenance [including Custodial, Trash, Landscaping, etc.]		
Security		
Utilities		
Other (Specify): .....		
3. Equipment & Supplies Costs	> \$ 0	\$ 61,300
Equipment		
Supplies		
4. Materials	> \$ 100,000	\$ 350,000
Books, AV, Magazines, & Newspapers		
Electronic Services & Subscriptions		
Other Formats		
5. Other Allocations (As applicable to the proposed project)	> \$ 0	\$ 50,000
Administrative/Business Office		
Branch Operations		
Circulation Services		
Facilities & Capital Coordination		
Program Planning		
Technical Services		
Other (Specify): .....		
6. Miscellaneous (Other)	> \$ 0	\$ 147,700
7. <b>TOTAL EXPENDITURES:</b>	> \$ 100,000	\$ 2,562,052

I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Council of the City of Alameda in a regular meeting assembled on the 1st day of February, 2005, by the following vote to wit:

AYES

NOES:

ABSENT:

ABSTENTIONS:

IN WITNESS, WHEREOF, I have hereunto set my hand and affixed the seal of said City this

\_\_\_\_ day of \_\_\_\_\_, 2005.

\_\_\_\_\_  
Lara Weisiger, City Clerk  
City of Alameda



# City of Alameda

## Memorandum

DATE: January 25, 2005

TO: Honorable Mayor and  
Councilmembers

FROM: William C. Norton  
Interim City Manager

RE: Public hearing to consider rezoning of approximately 7,800 square feet of property from R-5 General Residential to C-C Community Commercial; and to consider an appeal of the Planning Board's approval of Design Review DR04-0101 at 1410 Everett Street, to allow a 5,300 square foot new commercial building (veterinary hospital) to replace approximately 2,000 square of commercial buildings, with a parking lot expansion to 23 spaces. The property is in the C-C Community Commercial and R-5 Hotel Residential Zoning Districts.

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### BACKGROUND

Doctors Applegate and Wydner, DVM, applied for Rezoning, Use Permit and Major Design Review to replace two existing commercial buildings including their clinic with a 5,300 square foot one-story veterinary clinic and 9 additional parking spaces. On December 13, 2004 after public hearing, the Planning Board recommended to the City Council to approve the rezoning of a portion of the site from R-5 General Residential to C-C Community Commercial, and the Board approved the Use Permit and Major Design Review. On December 22, 2004, Mr. J. Barni, who spoke at the Board's hearing against the project, filed an appeal of the Design Review. The City Council hearing is on February 1, 2005.

### DISCUSSION/ANALYSIS

The project includes a parcel which is currently zoned R-5 and classified in the General Plan as Community Commercial. The Planning Board recommended approval to rezone this parcel C-C, Community Commercial to establish consistency with the General Plan and Zoning. The appellant has not appealed this action to rezone the property.

The appellant has appealed the Design Review and Use Permit applications which would allow construction of the veterinary clinic. The applicant's letter of appeal is included as Attachment #2. Staff's response is included in Attachment #1. The appellant's basis for appeal is that the design does not fit the area or relate well to the condominium building to the east, in which the appellant is an owner. Staff notes that the Board considered the City's zoning requirements and made findings on the appropriateness of the design after public testimony and prior to taking action to approve the project. Please see Attachment 1 for a more detailed discussion.

*Dedicated to Excellence, Committed to Service*

Re: #5-A and #5-B  
2-1-05

**BUDGET CONSIDERATION/FISCAL IMPACT**

There will be no additional funding in the Planning and Building Department budget necessary relative to the appeal.

**RECOMMENDATION**

The Planning Board recommends that the City Council conduct a public hearing, review all pertinent information and testimony, and then act to:

- 1.) Rezone approximately 7,800 square feet from R-5 to C-C; and
- 2.) Uphold the Planning Board approval of the Design Review by adopting the draft Resolutions contained in the agenda packet.

Should the City Council determine that the appeal has merit and the project should be denied, the City Manager recommends the City Council take action to rezone the 7,800 sq. ft. parcel from R-5 to C-C to establish consistency with the Zoning Ordinance and General Plan. After taking action on the rezoning the City Council would then take action to deny the project.

Should the City Council take no action, the decision of the Planning Board stands.

Respectfully Submitted,

  
Jerry L. Cormack  
Interim Planning Director

By:

  
Dave Valeska  
Planner III

**Attachments**

1. Staff Response to Bases of Appeal
2. Letter and Petition of Appeal, J. Barni
3. Planning Board Resolution
4. Staff Report to Planning Board, December 13, 2004 without Draft Planning Board Resolutions
5. Planning Board Minutes, December 13, 2004
6. Site Plan and Elevations, Reduced Scale
7. Letter from T. Matthews

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## ATTACHMENT #1

### **Planning Staff Responses to Appellant's Bases of Appeal Set Out in Appellant's Letter Dated December 22, 2004 Veterinary Clinic, 1410 Everett Street**

The appellant's basis of appeal is set out in bolded text, followed by staff's response to each paragraph in italic text preceded by "staff response".

1. **The overall design of the subject veterinary hospital does not take into consideration the fragile mix of residential uses in the immediate area. Rather it attempts to complement the converted 1950's grocery store to the north, which is presently used as a medical building. Central Ave. is the only street in Alameda which has a continuous overall theme of large fully grown sycamore trees, this adds to the residential quality of the neighborhood.**

Since the subject building abuts a residential use and is across the street from single family dwellings, the design of the veterinary hospital should be required to take these conditions into consideration. When a Use Permit is issued it is common to demand an upgrade in design as a trade off to insure that the immediate neighborhood character is buffered from the adjoining commercial district.

*STAFF RESPONSE: The design is one-story, with a variety of materials and surfaces similar to other buildings in the C-C Community Commercial zoning district in the area. The residential scale of the building relates well to residences across Central, although of a different style, as appropriate under City Design Guidelines. The clinic design preserves westerly views over the one-story clinic from upper story residences in the appellant's condominium building. The clinic site design preserves several existing trees while providing additional landscaping equal to or greater than landscaping in Central Avenue commercial areas. The Planning Board Resolution provides additional findings.*

2. **To be specific, the site is one of the largest undeveloped lots in the commercial district. Yet the building is crowded towards the Central and Everett corner. The one foot set back from the property line on Central Ave. is far from reasonable. The majority of the buildings on Central Ave. have a set back of between 20 ft. plus and 10 feet. To incorporate this new building with the residential theme I believe that the minimum set back from the Central Ave. property line should be required at 10 feet. The rear of the proposed building will be viewed by some 10,000 cars a day driving north. Yet this side of the building is a stucco wall with no landscaping.**

*STAFF RESPONSE: The General Plan and historical construction patterns in the Park Street downtown commercial area provide for minimal setbacks from*

*streets, and the clinic design is consistent with these patterns. The minimal openings along a major street, with wall surfaces, provide noise insulation for pets inside and persons outside, and are consistent with non-retail buildings in the area.*

3. **The general design of the proposed building is that of a 1950's stucco box with decorated treatments of reflective glass, glass blocks, concrete siding, and metal roofing. This design would be more desirable in a commercial manufacturing zone. In addition, the building with its flat roof will house a variety of necessary heating and air conditioning units that will be visible from the street and the adjoining condominium at 2515 Central Ave. I believe that this site development and design should be treated to appear as a single family home, with a gable or hip roof allowing for softer design elements. An exterior of brick, stone and stucco with heavy landscaping would serve our City well over the next 80 years. Why settle for mediocre, when you do not have to.**

*STAFF RESPONSE: The building design blends elements from vernacular architecture of the 1920's (craftsman), 1950's and contemporary design, while keeping commercial setbacks and a residential scale. The 5,300 square foot design is horizontal and low, preserving residential views over the roof line toward Park Street. Form follows function, since the building is designed to protect residential areas from noise and odors inside the building. The Planning Board found that the design is appropriate and fits the area. While the City Council could grant the appeal and require an alternate design, the Planning Board has found that the materials in the plan that they approved are balanced and suitable for this area of the commercial district.*

PETITION FOR APPEAL

TO: CITY OF ALAMEDA  
City Hall  
2263 Santa Clara Avenue #190  
Alameda CA 94501

(Planning Board or City Council)

This petition is hereby filed as an appeal of the decision of the  
PLANNING BOARD  
(Planning Director/Zoning Administrator/Planning Board/Historical  
Advisory Board)

which GRANTED  
(Denied/Granted/Established Conditions) for

DR04-0101

(Application Number)

at 1410 EVERETT ST  
(Street Address)

for a

☒ Design Review  
☐ Subdivision Map  
Development

☐ Use Permit  
☐ Rezoning

☐ Variance  
☐ Planned

☐ Planned Development/Amendment

☐ Other \_\_\_\_\_  
(Specify)

on DEC 13, 2004  
(Specify Date)

The basis of the appeal is: See ATTACHED!

(If more space is needed, continue on the reverse side or attach additional sheets.)

JOHN BARNI  
(Name)

1023 Auburn CT  
(Address)

Alameda, Ca. 94502  
(City/State)

N/A

(Telephone - Work) 510 522-2230

(Telephone - Home)

\*\*\*\*\*  
(For Office Use Only)

Date Received Stamp

Received By: \_\_\_\_\_  
Receipt No.: \_\_\_\_\_

CITY OF ALAMEDA  
CITY COUNCIL  
APPEAL DR04-0101

THE REASONS FOR MY APPEAL ARE BASED ON THE FOLLOWING:

THE OVERALL DESIGN OF THE SUBJECT VETERINARY HOSPITAL DOES NOT TAKE INTO CONSIDERATION THE FRAGILE MIX OF RESIDENTIAL USES IN THE IMMEDIATE AREA. RATHER IT ATTEMPTS TO COMPLEMENT THE CONVERTED 1950'S GROCERY STORE TO THE NORTH, WHICH IS PRESENTLY USED AS A MEDICAL BUILDING.

CENTRAL AVE. IS THE ONLY STREET IN ALAMEDA WHICH HAS A CONTINUOUS OVERALL THEME OF LARGE FULL GROWN SYCAMORE TREES, THIS ADDS TO THE RESIDENTIAL QUALITY OF THE NEIGHBORHOOD.

SINCE THE SUBJECT BUILDING ABUTS A RESIDENTIAL USE AND IS ACROSS THE STREET FROM SINGLE FAMILY DWELLINGS THE DESIGN OF THE VET. HOSP. SHOULD BE REQUIRED TO TAKE THESE CONDITIONS INTO CONSIDERATION. WHEN A USE PERMIT IS ISSUED IT IS COMMON TO DEMAND A UPGRADE IN DESIGN AS A TRADE OFF TO INSURE THAT THE IMMEDIATE NEIGHBORHOOD CHARACTER IS BUFFERED FROM THE ADJOINING COMMERCIAL DISTRICT.

TO BE SPECIFIC:

THE SITE IS ONE OF THE LARGEST UNDEVELOPED LOTS IN THE COMMERCIAL DISTRICT. YET THE BUILDING IS CROWDED TOWARDS THE CENTRAL AND EVERETT CORNER. THE ONE FOOT SET BACK FROM THE PROPERTY LINE ON CENTRAL AVE. IS FAR FROM REASONABLE. THE MAJORITY OF THE BUILDINGS, ON CENTRAL AVE., HAVE A SET BACK OF BETWEEN 20FT. PLUS AND 10 FEET. TO INCORPORATE THIS NEW BUILDING WITH THE RESIDENTIAL THEN I BELIEVE THAT THE MINIMUM SET

BACK FROM THE CENTRAL AVE. PROPERTY LINE SHOULD BE REQUIRED AT 10 FEET.

THE REAR OF THE PROPOSED BUILDING WILL BE VIEWED BY SOME 10,000 CARS A DAY DRIVING NORTH. YET THIS SIDE OF THE BUILDING IS A STUCCO WALL WITH NO LANDSCAPING.

THE GENERAL DESIGN OF THE PROPOSED BUILDING IS THAT OF A 1950'S STUCCO BOX WITH DECORATED TREATMENTS OF REFLECTIVE GLASS, GLASS BLOCKS, CONCRETE SIDING, AND METAL ROOFING. THIS DESIGN WOULD BE MORE DESIREABLE IN A COMMERCIAL MANUFACTURING ZONE. IN ADDITION THE BUILDING WITH ITS FLAT ROOF WILL HOUSE A VARIETY OF NECESSARY HEATING AND AIR CONDITIONING UNITS THAT WILL BE VISIBLE FROM THE STREET AND THE ADJOINING CONDOMINIUM AT 2515 CENTRAL AVE. I BELIEVE THAT THIS SITE DEVELOPMENT AND DESIGN SHOULD BE TREATED TO APPEAR AS A SINGLE FAMILY HOME, WITH A GABLE OR HIP ROOF ALLOWING FOR SOFTER DESIGN IMPLEMENTS. AN EXTERIOR OF BRICK, STONE AND STUCCO WITH HEAVY LANDSCAPING WOULD SERVE OUR CITY WELL OVER THE NEXT 80 YEARS.

WHY SETTLE FOR MEDIOCRE, WHEN YOU DO NOT HAVE TO.

JOHN BARNI

CITY OF ALAMEDA PLANNING BOARD  
RESOLUTION NO. PB-04-68

A RESOLUTION OF THE PLANNING BOARD OF THE CITY OF ALAMEDA APPROVING REZONE R04-002, VARIANCE V04-018, USE PERMIT UP04-013 AND MAJOR DESIGN REVIEW, DR04-101 FOR CONSTRUCTION OF A VETERINARY CLINIC, 1410 EVERETT

WHEREAS, an application was made on October 5, 2004 by Doctor Mary Applegate and Doctor Cathy Wydner, requesting a Rezone R-04-002 from R-5 General Residential to C-C Community Commercial for approximately 7,800 square feet at the corner of Everett and Central, a Use Permit UP04-013 for veterinary clinic in the C-C zoning district, a Variance V04-018 for a second driveway, and Major Design Review DR04-0101, to permit the reconstruction of 5,300 square foot building on a 0.4 acre site; and

WHEREAS, the application was determined to be Complete for processing November 4, 2004; and

WHEREAS, the subject property is designated as Community Commercial on the General Plan Diagram; and

WHEREAS, the subject property is located in a C-C-Community Commercial and R-5 General Residential Zoning Districts; and

WHEREAS, the project is Categorically Exempt from review under the California Environmental Quality Act, pursuant to Section 15303 of CEQA Guidelines, for development of commercial buildings under 10,000 square feet; and

WHEREAS, on December 13, 2004 the Planning Board held a noticed public hearing and considered testimony, exhibits and other materials and made the following findings; and

WHEREAS, the Board made the following findings regarding the Rezoning:

- 1) **The proposed zoning reclassification relates correctly to the General Plan land use designation** because expanding the Community Commercial designation will more fully implement the current General Plan Community Commercial map designation than would the current residential designation.
- 2) **The rezoning will have no significant adverse effects on the General Plan** and will strengthen the integrity of the General Plan by reclassifying the parcel to a zoning designation consistent with the General Plan Community Commercial designation for this area.
- 3) **The rezoning will have no significant adverse effects on the welfare of the community** because the rezoning provides for continued use of this portion of the property for parking, without increasing the size of commercial zoning consistent with the commercial



General Plan land use designation.

4) **The proposed zoning reclassification will be equitable** because it will correct an inconsistency in the C-C Community Commercial zoning district boundary.

**WHEREAS**, the Planning Board made the following findings regarding the Variance:

1). **There are extraordinary circumstances applying to the property relating to the physical constraints of the parcel, such as size, shape, topography, location, or surroundings, or applying to the proposed use of the property.** The property is on a corner with two public street frontages. The public would benefit from a second driveway and a more efficient circulation pattern to reduce on-street parking generated by this use.

2) **Because of extraordinary circumstances, the literal enforcement of the Zoning Ordinance standards would result in practical difficulty or unnecessary hardship such as to deprive the applicant of a substantial property right possessed by other owners of the property in the same district.** The corner location of the property and the doubling of the number of parking spaces on-site makes a second driveway necessary for this business to provide access to both street frontages. Denying this request would be inconsistent with multiple driveways on other parcels with more than one street frontage.

3) **The granting of the variance, under the circumstances of the particular case, will not be detrimental to the public welfare or injurious to persons or property in the vicinity.** The reduction of one on-street parking space caused by the second driveway is more than offset by the addition of off-street parking spaces on the site, and there are a significant number of other on-street parking spaces in the area. A third existing curb cut will also be removed.

**WHEREAS**, the Planning Board has made the following findings regarding the Use Permit:

1). **The location of the proposed use is compatible with other land uses in the general neighborhood area.** The location of the proposed use is between other office/medical uses to the west, commercial uses to the north, and the new building would be separated from office and residential uses to the south and east by the expanded parking lot and by Central Avenue. The existing veterinary clinic has demonstrated the compatibility of this use.

2). **The proposed use will be served by adequate transportation and service facilities.** There are bus stops near the site and sufficient parking and other services nearby to provide for customers and staff.

3). **The proposed use, if it complies with all conditions upon which approval is made contingent, will not adversely affect other property in the vicinity.** The design of the building would contain noise, odors and other impacts to avoid adverse effects on nearby properties.

4). **The proposed use relates favorable to the General Plan.** The General Plan map designation is Community Commercial and the proposed building and parking would fulfill General Plan policies regarding the vitality of the Park Street commercial district.

**WHEREAS,** the Planning Board has made the following findings regarding Design Review:

1) **The project will have no adverse effects on persons or property in the vicinity.** The one-story horizontal design will have no adverse shading or view blockage impacts on neighboring sites, including the adjacent residential building, and the design quality will enhance the streetscape.

2). **The project will be compatible and harmonious with the design and use of surrounding properties.** The design mixes Craftsman style with modern style to create a compatible and harmonious design which blends well with the neighborhood at this border between commercial and residential areas.

3) **The project will be consistent with the City's Design Review Guidelines.** The building and site will incorporate the balanced proportions and mix of design details which are encouraged in City Design Review Guidelines, and will echo the design of nearby medical office buildings.

THEREFORE BE IT RESOLVED that the Planning Board of the City of Alameda recommends that the City Council approve Rezone R04-002; and subject to City Council approval of the Rezone, the Board approves Variance V04-018, Use Permit UP04-013; and Major Design Review DR04-101, including veterinary clinic building and parking approvals subject to the following conditions:

1. **APPROVED PLAN.** The project shall be constructed in substantial compliance with the plans date stamped October 4, 2004, by Rauhaus Architects, consisting of plansheets and color and materials boards; such plans and board constitute Exhibit "A", on file in the office of the City of Alameda Planning and Building Department, and are approved except that glass shall be minimally reflective, with an index of less than 12, except as modified by the conditions in this Resolution including but not limited to the following specific modifications:
2. **VESTING.** The Variance, Use Permit and Major Design Review shall terminate on the later of **December 13, 2005**, or one year (1 year) from the date of any subsequent approval on appeal, unless actual construction under valid permits has begun, or the developer applies for and is granted an extension prior to expiration; the Planning and Building Director is directed by the Planning Board to rule upon an extension on their behalf. The Variance, Use Permit and Major Design Review approval shall not be in force and effect, and no building permits will be issued, unless and until the developer has completed any necessary Lot Merger or Lot Line Adjustment to accomplish necessary property lines, to the satisfaction of the Planning and Building Director, and unless the City Council has first approved the Rezone from R-5 General Residential to C-C Community Commercial of approximately 7,800 square feet of the site.

3. **FEES AND REQUIREMENTS.** Citywide Development Impact Fees and public art fees/program for incremental increase of building area (estimated to be approximately 2,500 square feet) shall be paid prior to issuance of a building permit. The applicant shall conform to the Public Art Ordinance and shall include public art approved by the Recreation and Parks process. That process may, in its discretion, find on-site decorations created by artists to qualify as a portion of public art.
4. **USE PERMIT LIMITS.** The Use Permit allows a veterinary clinic with lobby, offices, medical rooms, material storage and animal cages and animal runs, all interior only. The applicant shall confine animal walks to an area on the east side of the building, covered with artificial turf, drained to Public Works Director satisfaction and treated with chemical control for odor protection and sanitation to Planning and Building Director satisfaction. The Use Permit may be agendized before the Planning Board by the Planning and Building Director for consideration of revocation if the Use becomes a nuisance or fails to comply with the conditions.
5. **ALAMEDA POWER AND TELECOM.** The developer shall install any newly required substructures including conduits, pullboxes, and transformer pads necessary to serve the proposed improvements. The developer shall grant all easements to Alameda Power and Telecom necessary for the provision and maintenance of electrical service to the site. Easements shall include metes and bound descriptions and plats and shall be prepared by a licensed land survey or civil engineer qualified to practice land surveying. Existing easements that are no longer applicable after the proposed improvements are operational shall be vacated at the direction of AP&T and City Engineer.
6. **STORM AND SANITARY SEWER ANALYSIS** Applicant shall provide in conjunction with building and site improvement plan submittals, storm drain and sanitary sewer flow calculations of the existing and proposed development. Private storm and sanitary sewer lines shall be constructed at the owner's expense. Should the developer use the existing private storm and sanitary lines then they shall be inspected to the approval of the City Engineer and any inflow and infiltration from open joints, broken pipe, etc. shall be rehabilitated by means acceptable to the City Engineer (i.e. slip lining, pipe bursting, replacement, inversion lining etc.) at the owner's expense. Existing public storm drain mains must remain functional during construction through use of bypass lines or other means approved by the City Engineer.
7. **FIRE DEPARTMENT.** Prior to issuance of building permits, the applicant shall provide plans for approval of the Alameda Fire Department. If applicable to the type of construction, the buildings shall be fitted with automatic fire sprinkler systems to NFPA 13 standards to the satisfaction of the Alameda Fire Department. On-site 3,000 gallon per minute fire hydrant(s) shall if necessary, be installed to the satisfaction of the Alameda Fire Department.
8. **URBAN RUNOFF.** Redevelopment projects of eligible size, which in phase-in may be 10,000 or more square feet of site area, shall minimize stormwater pollutant discharges

through implementation of construction sediment control and post-construction design and treatment measures, incorporating appropriate source control and site design measures to the maximum extent practicable per requirements of the Alameda Countywide Non-Pollutant Discharge Elimination System (NPDES) Municipal Stormwater Permit. Approval of this resolution does not lock-in the current NPDES permitting requirements. Should the developer reconfigure the project such that Planning board re-approval of the project would be necessary, then that portion of the project would no longer be considered “grandfathered” and could be subject to any modifications in the NPDES permitting requirements.

- a. Design review submittals shall include a table showing the amount of pervious and impervious areas prior to redevelopment and the amount of pervious and impervious area after redevelopment. Areas shall be given in square feet. Conceptual proposals shall be included during design review process showing methods by which impervious surfaces will be minimized and the entry of pollutants to the storm drain system will be reduced. Such methods may include methods such as pervious parking stalls using interlocking pavers, and filter inserts and units within storm drain structures. All runoff catch basins shall be labeled “Drains to Bay.”
- b. Post-construction stormwater treatment control measures shall be included into project construction plans prior to issuance of any building or grading permit. A treatment measure operation and maintenance (O&M) plan shall be subject to review and approval by the City Engineer following City procedures and standards. O&M plans shall include treatment type, location, maintenance requirements, maintenance schedule and assurances of party responsible for O&M, including on-site pavement cleaning with sweeping, litter control and spill cleanup and asphalt maintenance.
- c. Landscaping shall be designed with efficient irrigation to reduce runoff, promote surface infiltration, and minimize the use of fertilizers and pesticides that can contribute to stormwater pollution. Landscaping should be designed and operated to treat stormwater runoff.
- d. Construction activities shall comply with Notice of Intent (NOI) and Storm Water Pollution and Prevention Plan (SWPPP) NPDES permitting requirements. Design plans shall include a plan for erosion and sediment control measures that implements current Best Management Practices (BMPs) during construction activities. The erosion and sediment control plan is subject to review and approval by City Engineer, consistent with applicable City Ordinance.
- e. Trash enclosures and/or recycling areas must be completely covered with wood or metal covers approved by building permits, with no surface flows from other areas draining into this area. BMP’s shall be implemented to prevent potential stormwater pollution. These BMP’s may include, but are not limited to, a regular program of sweeping, litter control and spill clean-up.

9. LANDSCAPING. Prior to issuance of building permits the applicant shall specify the size,

type and number of trees, shrubs and ground cover. All landscaping and irrigation shall be installed or bonded for installation within one year, prior to approval of first occupancy of the building. A landscape maintenance agreement including any necessary bonding/performance securities shall be signed in a form approved by the Planning and Building Director.

- a. The developer shall be required to install trees as shown on the approved landscaping plan in Exhibit "A." Species, location and size of street trees shall be generally as shown on Exhibit "A," to the satisfaction of the Planning and Building Director and the Public Works Director. Trees that are 15 gallon size or larger shall be specified unless otherwise directed by the Planning and Building Director. There shall be at least one tree per 4 parking spaces. Eucalyptus trees are not approved.
- b. Trees shall be maintained and watered in a healthy state to achieve a canopy of greenery within the parking areas. Diseased trees shall be removed and replaced immediately with healthy trees of the same or similar species.

10. **LIGHTING.** Prior to issuance of building permits, the applicant shall submit a lighting plan and details of lighting fixtures for Planning and Building Director review and approval. Lighting shall be installed in substantial compliance with City standards, generally an average of between 2 and 5 footcandles, as determined by the Chief Building Official, Police Department and AP&T. All on-site lighting shall be downward-directed lighting and shielded to avoid lighting impacts on adjacent residential areas.

11. **AFFORDABLE HOUSING COMPLIANCE.** The project is subject to the Affordable Housing Unit/Fee Ordinance (Alameda Municipal Code Section 27-1) for floor area over and above credit for existing floor area, estimated to be approximately 2,500 square feet. The applicant must provide housing units, pay an in-lieu fee or prepare an Affordable Housing Unit/Fee Plan and secure the approval of the Housing Development Manager, prior to issuance of a building permit. The applicant must provide the housing units or pay the Affordable Housing fee, as calculated in the approved Plan, prior to issuance of the certificate of occupancy. Currently the fee is \$1.92 per square foot of building area for retail and \$3.79 per square foot of building area for offices.

12. **CONSTRUCTION REGULATIONS**

- a. Prior to start of work of demolition, remodeling or construction, the applicant shall provide a draft waste management plan to the Public Works Environmental Services Division. This can be in any format, but must include the following:
  - i. Contractor's name, address, and telephone number
  - ii. Project location and/or street address
  - iii. Anticipated start and completion dates of the project
  - iv. A list of materials expected to be generated (e.g., glass, wood, metal, drywall, concrete, bricks), the tonnage or volume of each material, how they are to be

reused, disposed or recycled, and the destination/processor for that reuse, disposal or recycling.

The Environmental Services Division will review this draft plan for conformity with Citywide waste management plan procedures, and any changes or recommendations shall be incorporated into the site plans for the project.

At the end of the demolition, remodeling or construction project, the contractor shall submit a report to the Environmental Services Division on actual tonnages disposed or recycled for each material, and the actual destination/processor.

- b. Construction activities shall be limited to the hours of 7:00 a.m. and 7:00 p.m. Monday through Friday. Noise-generating construction activities shall be limited to the hours of 8:00 a.m. and 5:00 p.m. Work on Saturdays shall require special approval of the City Engineer. No construction activity shall be permitted on Sundays or State and Federal holidays. Work requiring inspection after 3:30 p.m. weekdays will require city construction inspection fee at time and a half (1-1/2). Said fee will be in accordance with the latest public works fee overtime schedule. Work done on Saturdays requiring inspection is prohibited unless approved by the city engineer and an inspector is available. Inspection fees for Saturday work will be at time and a half (1-1/2) with a four-hour minimum.
- c. All construction vehicles shall adhere to City of Alameda truck routes.
- d. Storage of construction material and equipment on city streets will not be permitted.
- e. The contractor shall provide all lights, signs, barricades, flagmen, or other traffic safety devices necessary to provide public safety in accordance with standards. The contractor shall provide a traffic control plan to the approval of the City Engineer. The contractor shall allow a minimum of three working days for review of the traffic control plan.
- f. Temporary no parking on City streets for construction will require posting of "No Parking Signs" 48 hours in advance. Signs are available at the Building Services Office, Room 190, City Hall. Only City of Alameda issued no parking signs will be allowed.
- g. Construction equipment shall be properly muffled. Unnecessary idling of grading construction equipment is prohibited.
- h. Stationary noise-generating construction equipment such as compressors shall be located as far as practical from occupied residential housing units.

- i. Contractor shall be responsible for responding to any local complaints about construction noise.
  - j. Construction equipment, tools, etc. shall not be cleaned or rinsed into a street, gutter, storm drain or stream. Shovel or vacuum saw-cut slurry and remove from site.
  - k. A contained and covered area on-site shall be used for storage of cement bags, paints, flammables, oils, fertilizers, pesticides, or any other materials that have potential for being discharged to the storm drain system by wind or in the event of a material spill.
  - l. All construction debris shall be gathered on a regular basis and placed in a dumpster which is emptied or removed weekly. When feasible, tarps shall be used on the ground to collect fallen debris or splatters that could contribute to stormwater pollution. Any temporary on-site construction piles shall be securely covered with a tarp or other device to contain debris.
  - m. Concrete/gunite trucks and concrete/plaster finishing operations shall not discharge wash water into the street gutters or drains.
  - n. Trash and debris shall be cleaned up daily on all public streets in the project vicinity and along haul routes. Sweep as needed and as directed by the Public Works Inspector.
13. **HOURS OF OPERATION.** The facility shall not be open to the public from 10 pm to 7 am unless a subsequent Use Permit is requested and approved. The exception is public parking which the owner may choose to make available at no cost in the evenings before 2 am. No animals shall be taken outside for walks between 10 pm to 7 am except by their owners.
14. **PLANNING AND BUILDING DEPARTMENT INSPECTION.** At least 4 days prior to approval of occupancy, the applicant shall notify the Planning and Building Department to inspect the building and site to assure compliance with these conditions.
15. **PARCELS.** Lot line adjustment has not yet been filed for the property. Buildings shall meet property line separation requirements of the Building Code. A lot line adjustment map may be filed and approved pursuant to City subdivision regulations and the California Subdivision Map Act.
16. **NOISE.** A veterinary clinic is approved as shown in Exhibit A only. The applicant shall incorporate, to Planning and Building Director satisfaction, noise control and reduction measures into the operation, building design and/or site plan sufficient to achieve exterior noise standards at the receiving land use set forth in Section 4-10.4 (Exterior Noise Standards) of Alameda Municipal Code Article II (Noise Regulations). Such noise reduction may include but are not limited to one or more of the following:
- a. Requiring closed windows and use of a ventilation system.

- b. Noise suppressing exterior wall and window construction.
  - b. Noise baffles to supplement protection for residential neighbors if required.
- Staff shall monitor noise impacts per Condition 19 from this use for a period of one year after occupancy of the new vet hospital and advise the Planning Board of any noise complaints or impacts from the use to surrounding properties and uses. If there are no complaints or identified impacts no further periodic review will be necessary.

17. **GEOLOGY AND SOILS.** The applicant shall implement any geotechnical recommendations identified by the Chief Building Official including:
  - a. Clearing the site of vegetation, structures, foundations, pavement and debris.
  - b. Over-excavating building pad and paving, moisture-conditioning, compacting soil.
  - c. Backfilling utility trenches with compacted soil.
  - d. Implementing Cal-OSHA construction methods.
  - e. Supporting structures on properly constructed spread footings.
  - f. Constructing properly prepared concrete slab-on-grade floors and retaining walls.
18. **POLICE DEPARTMENT.** The business should be equipped with alarm system installed and monitored covering all perimeter doors and windows. Rooftop ladders should not be placed outside the building. Address numbers shall be illuminated during hours of darkness, in position to be easily readable from the street, a minimum of 12 inches high. Rear entrance doors shall be numbered with characters at least 4 inches in height and illuminated during darkness. All doors shall be commercial grade and secured using deadbolt locks except panic hardware. Except adjacent to rear and north side property lines, shrubs shall be trimmed to a maximum of 42 inches.
19. **PERIODIC REVIEW.** The Planning and Building Director shall monitor the Use Permit and place it on the Planning Board agenda for review after one year of occupancy of the facility, and as needed thereafter to ensure compliance with conditions, particularly for noise and odors that may affect nearby residential properties.
20. **ACKNOWLEDGMENT OF CONDITIONS.** The applicant shall acknowledge in writing all of the conditions of approval and must accept this permit subject to those conditions and with full awareness of the applicable provisions of Chapter 30 of the Alameda Municipal Code in order for this Planned Development, Use Permit and Major Design Review to be exercised.
21. **HOLD HARMLESS.** The City of Alameda requires as a condition of this Variance, Use Permit and Major Design Review approval, that the applicant, or its successors in interest, defend, indemnify, and hold harmless the City of Alameda or its agents, officers, and employees from any claim, action, or proceeding against the City or its agents, officers, and employees to attack, set aside, void, or annul, an approval of the City concerning the subject property. The City of Alameda shall promptly notify the developer of any claim, action or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the developer of any claim, action, or proceeding, or if the City fails to cooperate fully in the defense, the developer shall not hereafter be responsible to defend, indemnify, or hold



harmless the City.

The decision of the Planning Board shall be final unless appealed to the City Council, in writing and any such appeal must be made within ten (10) days of the decision or decision on any appeal by completing and submitting an appeal form and paying the required fee.

NOTICE. No judicial proceedings subject to review pursuant to California Code of Civil Procedure Section 1094.5 may be prosecuted more than ninety (90) days following the date of this decision plus extensions authorized by California Code of Civil Procedure Section 1094.6.

NOTICE. The conditions of project approval set forth herein include certain fees and other exactions. Pursuant to Government Code Section 66020 (d) (1), these Conditions constitute written notice of a statement of the amount of such fees, and a description of the dedications, reservations and exactions. The applicant is hereby further notified that the 90 day appeal period in which the applicant may protest these fees and other exactions, pursuant to Government Code Section 66020 (a) has begun. If the applicant fails to file a protest within this 90 day period complying with all the requirements of Section 66020, the applicant will be legally barred from later challenging such fees or exactions.

PASSED AND ADOPTED this 13<sup>th</sup> of December 2004 by the Planning Board of the City of Alameda to recommend Rezoning R04-0002 to City Council for approval by the following vote:

AYES: (6) Kohlstrand, Piziali, Cook, Cunningham, Mariani, McNamara

NOES: (0)

ABSENT: (1) Lynch

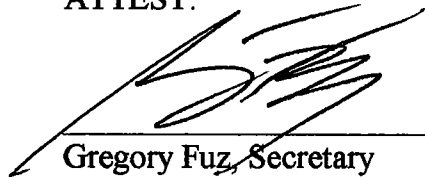
PASSED AND ADOPTED this 13<sup>th</sup> of December 2004 by the Planning Board of the City of Alameda to approve Use Permit UP04-0013, Variance V04-0018 and Major Design Review DR04-0101 by the following vote:

AYES: (5) Kohlstrand, Piziali, Cunningham, Mariani, McNamara

NOES: (1) Cook

ABSENT: (1) Lynch

ATTEST:

  
\_\_\_\_\_  
Gregory Fuz, Secretary  
City Planning Board

**CITY OF ALAMEDA  
PLANNING AND BUILDING DEPARTMENT**

**STAFF REPORT**

**ITEM NO.: 8-B**

**APPLICATION:** R04-0002, UP04-0013, V04-0018, DR04-0101: 1410 Everett—Mary Applegate. Request for rezoning of approximately 7,800 square feet from R-5 to C-C, variance for a second driveway when one driveway is otherwise permitted by Alameda Municipal Code, use permit for veterinary hospital and major design review to allow 5,300 square foot new commercial building (veterinary hospital) to replace approximately 2,000 square foot buildings; 23 space parking lot. The property is in the C-C Community Commercial and R-5 General Residential Zoning Districts.

**GENERAL PLAN:** Community Commercial

**ENVIRONMENTAL DETERMINATION:** Categorically Exempt from State CEQA Guidelines, Section 15303, New Construction of Small Structures Less Than 10,000 Square Feet.

**STAFF PLANNER:** Dave Valeska, Planner III

**RECOMMENDATION:** Recommend to City Council approval of Rezoning of approximately 7,800 square feet from R-5 to C-C; Approve Use Permit, Variance and Major Design Review with conditions.

**ACRONYMS:** AMC – Alameda Municipal Code  
C-C—Community Commercial Zoning District  
R-5—General Residential Zoning District

**ATTACHMENTS:**

1. Draft Resolution
2. Vicinity Map
3. Applicant Plans
4. Applicant Statement

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**I. PROPOSAL SUMMARY**

The applicants propose to build a 5,300 square foot new one-story commercial building (veterinary clinic) at Central and Everett, on a 17,670 square foot (0.4 acre) site. The building

would replace approximately 2,000 square feet of existing veterinary clinic and a vacant 700 square foot bank. The site, which currently has 12 parking spaces, would be expanded by addition of the adjacent residentially zoned lot to provide a total of 23 parking spaces. All animal runs and storage would be indoors, with ventilation and other methods to assure soundproofing for nearby uses. In order to accomplish the request, the following entitlements would need to be approved:

--Rezoning from R-5 General Residential to C-C Community Commercial of 7,800 square feet, being one of the three parcels, to provide zoning for outdoor commercial parking; City Council action is also needed.

--Use Permit for veterinary clinic in C-C Community Commercial Zoning District

--Variance for two driveways on a parcel where only one driveway is allowed by the AMC.

--Major Design Review for construction of the new building, parking and landscaping.

--(Administrative) Lot Line Merger to remove the lot lines between three existing parcels. The Planning Board would not need to act on the merger.

## **II. BACKGROUND**

### **A. Existing Site Conditions**

The site is flat and developed with an existing one-story veterinary clinic and a small circular mini-bank/ATM with two drive-through lanes. Several mature canopy trees and a 5 foot tall hedge are located on the eastern side of the parcel. Five mature locust trees are located in a group along Central Avenue behind the bank.

### **B. Surrounding Land Use**

North – Commercial buildings.

West-Medical buildings

South-Commercial buildings including extended stay hotel and residential uses

East-Residential uses including multifamily dwelling building adjacent to the property line

### **C. Applicant**

Doctors Applegate and Wydner, DVM, own a veterinary clinic on a portion of the site. The applicant's staff is normally 15 persons, with 8 on a maximum shift.

## **III. DETAILED PROJECT DESCRIPTION**

The proposal is at 1410 Everett Street, and includes the current addresses 2501 and 2507 Central Avenue as well. The one-story 5,300 square foot new building plan includes 4,200 square feet of

Alameda Planning Board

Staff Report

Meeting of December 13, 2004

hospital/clinic area and 1,100 square feet of animal boarding and runs. This doubles the floor area of existing buildings on the three parcels, with a total project site of 17,670 square feet (0.4 acre).

The building would be used for veterinary clinic, which is regulated by Use Permit in the C-C District. Lobby and office areas would be located in the front of the building. All animal runs and storage would be indoors. The use will generate approximately 40 daily vet clinic customers and includes a staff of 8 to 15 workers, normally working from 8 am to 6 pm. The parking supply increases from the current 12 spaces to 23 parking spaces for this expanded use. The property would have two driveways providing access to the parking.

#### **IV. ENVIRONMENTAL REVIEW**

Development of less than 10,000 square feet of commercial floor area in an urban area is Categorically Exempt under Section 15303 of the California Environmental Quality Act. The existing veterinary clinic was built approximately 1950 and is not on the Historic Building Survey List. The mini-bank was built after 1960 and is not on the list. There are no other environmental factors which require further environmental analysis. A Categorical Exemption under CEQA is proposed to be filed.

#### **V. STAFF ANALYSIS**

The proposal complies with applicable zoning regulations, subject to Planning Board and City Council approval of rezoning from R-5 to C-C, Use Permit for veterinary clinic, Variance for second driveway curb cut, and Major Design Review.

#### Compliance with Development Standards for Height, Lot Coverage, and Setbacks (Summary Table)

<b>Description</b>	<b>AMC Standard</b>	<b>Project Measure</b>	<b>Comparison</b>
Front Setback	Zero	7 feet	Complies
Side Setbacks (front bldg)	Zero	1 foot	Complies
Side Setbacks (rear bldg)	Zero	62 feet	Complies
Rear Setback	Zero	35 feet	Complies
Lot Coverage	100%	36%	Complies
Height	40 Feet	20 feet	Complies
Parking Landscaping	1 tree per 4 parking spaces, 5 feet landscaping along parking lot	7 trees in parking lot, 5 feet landscaping of parking lot	Complies
Parking	22 spaces	23 spaces	Complies

**A. Rezoning, R-5 to C-C**

This proposal includes a parcel of approximately 7,800 square feet at 2507 Central Avenue which is zoned R-5, General Residential. The applicant has filed a request for rezoning for this parcel to C-C Community Commercial, which is consistent with the Community Commercial General Plan designation of this parcel. This parcel has been used for off-street parking/circulation in conjunction with the prior use and will remain parking/circulation for the proposed use.

The required findings for the Planning Board to recommend approval of rezoning to the City Council are as follows:

- 1) **The proposed zoning reclassification relates correctly to the General Plan land use designation** because expanding the Community Commercial designation will more fully implement the current General Plan Community Commercial map designation.
- 2) **The rezoning will have no significant adverse effects on the General Plan** and will strengthen the integrity of the General Plan by reclassifying the parcel to a zoning designation consistent with the General Plan Community Commercial designation for this area.
- 3) **The rezoning will have no significant adverse effects on the welfare of the community** because the rezoning provides for continued use of this portion of the property for parking without increasing the size of commercial zoning consistent with the commercial General Plan land use designation.
- 4) **The proposed zoning reclassification will be equitable** because it will correct an inconsistency in the C-C Community Commercial zoning district boundary.

The findings for the Board to recommend rezoning can be made.

**B. Variance for Second Driveway**

The combination of three parcels into one would create a requirement under Alameda Municipal Code for a single driveway. The project proposes one driveway on each of its frontage streets, Central and Everett, a total of two driveways where currently there are three driveways. A variance is required to allow the request for more than one driveway. Staff notes the efficiency of circulation for visitors is enhanced by the second driveway, and that one of three existing driveways is being eliminated, therefore reducing the total number of driveways currently existing.

In addition, limiting the number of driveways is a regulation primarily to conserve on-street parking spaces. However, the applicant is almost doubling the number of off-street parking spaces, resulting in an offset to the reduction of on-street parking spaces which a second driveway may cause. An existing third curb cut is also being eliminated.

Findings: In order to grant the requested variance, the Planning Board must make all three of the following findings:

1. **There are extraordinary circumstances applying to the property relating to the physical constraints of the parcel, such as size, shape, topography, location, or surroundings, or applying to the proposed use of the property.**

The property is on a corner with two public street frontages. The public would benefit from a second driveway and a more efficient circulation pattern to reduce on-street parking generated by this use.

2. **Because of extraordinary circumstances, the literal enforcement of the Zoning Ordinance standards would result in practical difficulty or unnecessary hardship such as to deprive the applicant of a substantial property right possessed by other owners of the property in the same district.**

The corner location of the property and the doubling of the number of parking spaces on-site makes a second driveway necessary to provide access to both street frontages for this business. Denying this request would be inconsistent with multiple driveways on other parcels with more than one street frontage.

3. **The granting of the variance, under the circumstances of the particular case, will not be detrimental to the public welfare or injurious to persons or property in the vicinity.**

The reduction of one on-street parking space caused by the second driveway is more than offset by the addition of off-street parking spaces on the site, and there are a significant number of other on-street parking spaces in the area. A third existing curb cut will also be removed.

#### **Variance Conclusion:**

The findings necessary for a Variance are made in this case.

#### **C. Use Permit for Veterinary Clinic**

The requested Use Permit to allow a veterinary clinic in the C-C Community Commercial Zoning District relates to issues of land use compatibility, traffic, parking, noise and General Plan conformance.

Land Use Compatibility: The veterinary medical use is similar to other medical uses across Everett Street with the commercial uses in the vicinity. To the north, other commercial uses have been adjacent to the veterinary building for years without reports of significant impacts. To the south are residential and office uses across Central Avenue. All animal runs and cages would be interior, although occasional attended walking of animals may occur outside.

The clinic use would be during business hours and would be closed during the evening when residential uses are at their highest occupancy. This use has existed adjacent to a residential building and should remain compatible with the adjacent uses.

Traffic: Existing and proposed client traffic would average less than a few clients per hour, in daytime hours. The increase in traffic for the larger clinic would still result in a modest amount of traffic.

Parking: The applicant proposes to double existing parking on the site, in balance with the increase in floor area. The layout of the parking lot is efficient and provides access to both Central Avenue and Everett Street.

Noise: AMC Section 30-4.9A-c-1-nn states that a veterinary clinic and/or hospital is a conditional use "provided the Planning Board finds the use has sufficient air conditioning and soundproofing to effectively confine odors and noise so as not to interfere with the public health, safety and welfare. No outside pens or runs shall be permitted." The applicant's plans conform to this requirement, so the AMC finding can be made in this case. In addition, the projected noise control of the building design should result in City noise standards being met in nearby residential facilities, under 45 CNEL within those dwellings. Staff believes it is appropriate to monitor this potential noise issue and include a condition of approval requiring a one-year periodic review after occupancy of the new vet clinic. Staff will advise the Planning Board of any complaints or impacts from the use to surrounding properties and uses.

General Plan Conformance: The General Plan shows Community Commercial uses at this intersection, and promotes the vitality of the Park Street commercial area. The proposed new building and parking would conform to the map and policies.

**Findings:** In order to approve the requested use permit, the Planning Board shall make all of the following three findings and must determine that the proposed use favorably relates to the General Plan:

**1. The location of the proposed use is compatible with other land uses in the general neighborhood area.**

The location of the proposed use is between other office/medical uses to the west, commercial uses to the north, and the new building would be separated from office and residential uses to the south and east by the expanded parking lot and by Central Avenue. The existing veterinary clinic has demonstrated the compatibility of this use.

**2. The proposed use will be served by adequate transportation and service facilities.**

There are bus stops near the site and sufficient parking and other services nearby to provide for customers and staff.

3. **The proposed use, if it complies with all conditions upon which approval is made contingent, will not adversely affect other property in the vicinity.**

The design of the building would contain noise, odors and other impacts to avoid adverse effects on nearby properties.

4. **The proposed use relates favorable to the General Plan.**

The General Plan designation is Community Commercial, and the proposed building and parking would fulfill General Plan policies regarding the vitality of the Park Street commercial district.

#### **Use Permit Conclusion:**

The findings for approval of the Use Permit for veterinary clinic have been made in this case.

#### **D. Design Review**

The applicant proposes to build a new 5,300 square foot one-story building for veterinary clinic use, to replace approximately 2,000 square feet of existing vet clinic and 700 square feet of mini-bank/ATM.

#### **Discussion:**

The project design is discussed regarding zoning standards, architecture, relationship to surrounding structures, site plan, and landscaping.

Zoning Standards: The project meets zoning standards without need for a variance, except for the requested second driveway. Building setbacks from interior property lines are ample and the parking exceeds the requirement.

Architecture: The one-story architecture is a distinctive blend of Craftsman/bungalow style with modern architectural style. The variation in roof plane, the recessed entry, an interesting mix of materials and surfaces and the overall balance and harmony of the design relate well to the Park Street commercial district. The design is a result of the specific use of the building as the architect specializes in design of veterinary clinics.

Relationship to Surrounding Structures: The one-story design and building size relative to the parcel relates well to the medical office buildings on the east side of Central Avenue near Everett, and to residential and office uses on the west side of Central Avenue. The residential building to the east would be screened by preserving the existing hedge and trees, and would be separated from the veterinary building by open parking areas as in the current development pattern. The proposed building relates well to surrounding structures.

Site Plan: The site plan concentrates the building volume at the Central/Everett corner, similar to other commercial buildings in the area which are close to the streets on which they front.



Parking would be located behind the building, screened partly from public view. The site plan makes maximum use of the parking opportunities on the 0.4 acre site.

**Landscaping:** The landscaping plan concentrates trees and shrubs at rear and interior sideyard boundaries, to screen the facility from neighbors and to shade the planned parking areas. Existing mature trees and hedges would be preserved except at the Central/Everett corner where the building would displace several trees. New trees would be added in the parking areas to comply with AMC parking lot shading and to give green visual impact to the design.

**Findings:** Staff believes that the following findings can be made for approval of this Design Review application:

**1. The project will have no adverse effects on persons or property in the vicinity.**

The one-story horizontal design will have no adverse shading or view blockage impacts on neighboring sites, including the adjacent residential building, and the design quality will enhance the streetscape.

**2. The project will be compatible and harmonious with the design and use of surrounding properties.**

The design mixes Craftsman style with modern style to create a compatible and harmonious design which blends well with the neighborhood at this border between commercial and residential areas.

**3. The project will be consistent with the City's Design Review Guidelines.**

The building and site will incorporate the balanced proportions and mix of design details which are encouraged in City Design Review Guidelines, and will echo the design of nearby medical office buildings.

**Design Review Conclusion:**

The required findings for Design Review approval are made in this case. The design is distinctive while blending well with the area and serving to enhance existing conditions by reconstruction.

**VI. RECOMMENDATION**

Staff recommends that the Planning Board hold a public hearing, consider all pertinent testimony and information, then act to recommend approval to the City Council of the rezoning from R-5 to C-C for the eastern parcel at 2507 Central Avenue, and subject to that rezoning by City Council, approve the Use Permit for veterinary clinic, the Variance for second driveway and the Major Design Review for the new construction, based upon the findings contained in the attached Draft Resolution. Staff will administratively process the merger.

- 8-B. **R04-0002, UP04-0013, V04-0018, DR04-0101: 1410 Everett—Mary Applegate and Kathy Wydner (DV).** Request for rezoning of 1/5 acre from R-5 to C-C, variance for a second driveway when one driveway is otherwise permitted by Alameda Municipal Code, use permit for veterinary hospital and major design review to allow 5,300 square foot new commercial building (veterinary hospital) to replace approximately 2,000 square foot building; parking lot expansion to 23 spaces. The property is in the C-C Community Commercial and R-5 Hotel Residential Zoning Districts.

Mr. Valeska summarized the staff report. He noted that the second sentence of Condition 9 should be changed slightly. It currently reads: "All landscaping irrigation shall be installed prior to the approval of the first occupancy of the building." Mr. Valeska advised that the applicants intended to finish the new building before the old building is torn down. He suggested that the language be changed to "... within a period of a time approved by the Planning and Building Director." Staff recommended approval of this item.

The public hearing was opened.

Mr. John Barni, 1023 Auburn Court, noted that he built the condominium next door to the project site, and he lived adjacent to the project site. He expressed concern about noise and smell from the dogs resulting from the exercise area in back of the building. He believed the building design was very attractive.

Mr. Richard Rowe, 22652 Shady Grove Circle, Lake Forest, project architect, noted that he had practiced veterinary architecture for 25 years, noted that the practice of veterinary medicine had changed significantly since the original building was designed. He added that the current building was technically obsolete in terms of current practice, and that there was a movement toward large, regional facilities of up to 20,000 square feet. He noted that this facility was owned and operated by two local veterinarians. He noted that the building setbacks, and described the insulated soundwalls; glass block would provide further noise insulation. With respect to the sound mitigation from the back of the building, there would be sound transition vestibules. In addition, none of the windows in the wards would be operable. The noise from the mechanical systems would be mitigated by providing elbows in and lining the ductwork; the mechanical exhausts would be goosenecked to point away from any potential conflict. UVC emitters would be incorporated in all the supply ducts, which would kill bacteria and viruses. Because odor was a byproduct of bacteria, the elimination of bacteria would eliminate the odor. He stated that the synthetic grass turf in the back yard would have its own drainage system. It would be maintained several times a day to control disease and odor. He noted that dogs walked by the neighborhood residents along the streets cannot be controlled by the facility, but he understood that the dogs would not be walked along Central or Everett Streets. The dogs would be walked on-site.

Attachment #5

In response to an inquiry by President Cunningham regarding removal of biowaste and surgical waste from the site, Mr. Rowe replied that elevated toilets would handle the fecal waste.

The public hearing was closed for Board discussion.

Dr. Mary Applegate, applicant, replied that they used a service to collect euthanized animals, which were kept in a freezer in the facility until pickup. Medical waste is cremated, and would never be thrown in the garbage.

In response to an inquiry by President Cunningham whether the facility used radioactive iodine, Dr. Applegate confirmed that they did not.

In response to an inquiry by Vice President Cook, Dr. Applegate replied that the dogs were walked on their site near the minibank, and added that the dogs sometimes used the ivy to relieve themselves, which did cause some odor. She added that they also cleaned up after neighborhood dogs when their owners did not. She noted that the ivy would not be a factor, and that they would be able to disinfect the new area.

Mr. Rowe noted that the building would not be a pure Craftsman structure, but that they would use certain design components to capture the spirit of the Craftsman style.

Mr. Piziali complimented Mr. Rowe on the building design.

President Cunningham believed that the architect did a good job on the articulation.

A discussion of glass reflectivity ensued.

In response to an inquiry by Ms. Kohlstrand, Mr. Rowe confirmed that shiplap siding with mitered corners would be used, which was out of the Craftsman era.

M/S Cook/Kohlstrand to reopen the public hearing.

AYES – 5 (Lynch absent); NOES – 1 (Piziali); ABSTAIN – 0

The public hearing was reopened.

Mr. Barni noted that the staff report did not state that the animals would be walked outside in the back area. He expressed concern that the odor from the dogs' urine would infringe on the neighbors.

Mr. Rowe noted that the animals were not taken out to that area exclusively for urination, which generally took place within the hospital, where sufficient measures would be taken. The area in the back was primarily for general exercise, and the dogs would not be left alone outside.

The public hearing was closed for Board discussion.

In response to an inquiry by Ms. Kohlstrand regarding the hours of no-cost parking, Mr. Valeska advised that the wording would be amended to be "at no cost in the evenings before 2 a.m."

Dr. Mary Applegate, applicant, wished to address the odor issue, and noted that this was the first complaint she had heard in ten years about an odor issue. She noted that there was currently a lot of open space that was landscaped, where the dogs were walked. She noted that they were extremely careful to keep the area clean. She added that there was open access to neighborhood pet owners as well, and believed that the odor emanated from those occurrences. She believed the new design would vastly improve the situation.

In response to Vice President Cook's concerns about odors, Mr. Valeska advised that Condition 4 could be amended to confine outdoor animal walking to the area immediately east of the building, and shall be chemically treated. The applicant has stated that they would do that, and staff would monitor that.

Vice President Cook suggested that the dogs be walked in an interior courtyard design, which would wall off the exercise area from the neighborhood.

Dr. Applegate advised that there was currently no controlled area to walk the dogs, and that the new design would provide a controlled exercise area.

President Cunningham agreed that tighter conditions would control how the space was used more effectively, and agreed with the chemical treatments. He believed that if there was a problem, the neighbors would lodge complaints.

M/S Kohstrand/Piziali and unanimous to adopt Planning Board Resolution No. PB-04-68 to approve a request for rezoning of 1/5 acre from R-5 to C-C, and variance for a second driveway when one driveway is otherwise permitted by the Alameda Municipal Code.

AYES – 6 (Lynch absent); NOES – 0; ABSTAIN - 0

M/S Kohstrand/Piziali to adopt Planning Board Resolution No. PB-04-68 to approve a use permit for veterinary hospital and major design review to allow 5,300 square foot new commercial building (veterinary hospital) to replace approximately 2,000 square foot building; and parking lot expansion to 23 spaces. The approval would be subject to the following modifications:

Amend condition 4 confirming dog-walking area east of the building and chemically treating the area and condition to clarify parking lot hours before 2 a.m.

AYES – 5 (Lynch absent); NOES – 1 (Cook); ABSTAIN - 0



# STICAL SITE SUMMARY

3: COMMUNITY COMMERCIAL (CC)  
EA: 17,868 SF (.41 ACRES)  
IG LOT COVERAGE: 36 %

IG SUMMARY:  
AL AREA: 4,205 SF  
TORAGE AREA: 1,080 SF  
LOOR AREA: 5,295 SF

3 REQUIREMENTS  
AL AREA (1:200): (4,205 SF / 200) = 21.0 spaces  
ORAGE (1:1000): (1,080SF / 1000) = 1.0 spaces  
3 SUMMARY:  
ED (includes 8 compact spaces): 22 SPACES  
23 SPACES

RECEIVED

OCT - 4 2004

PERMIT CENTER  
ALAMEDA, CA 94501

104.0018

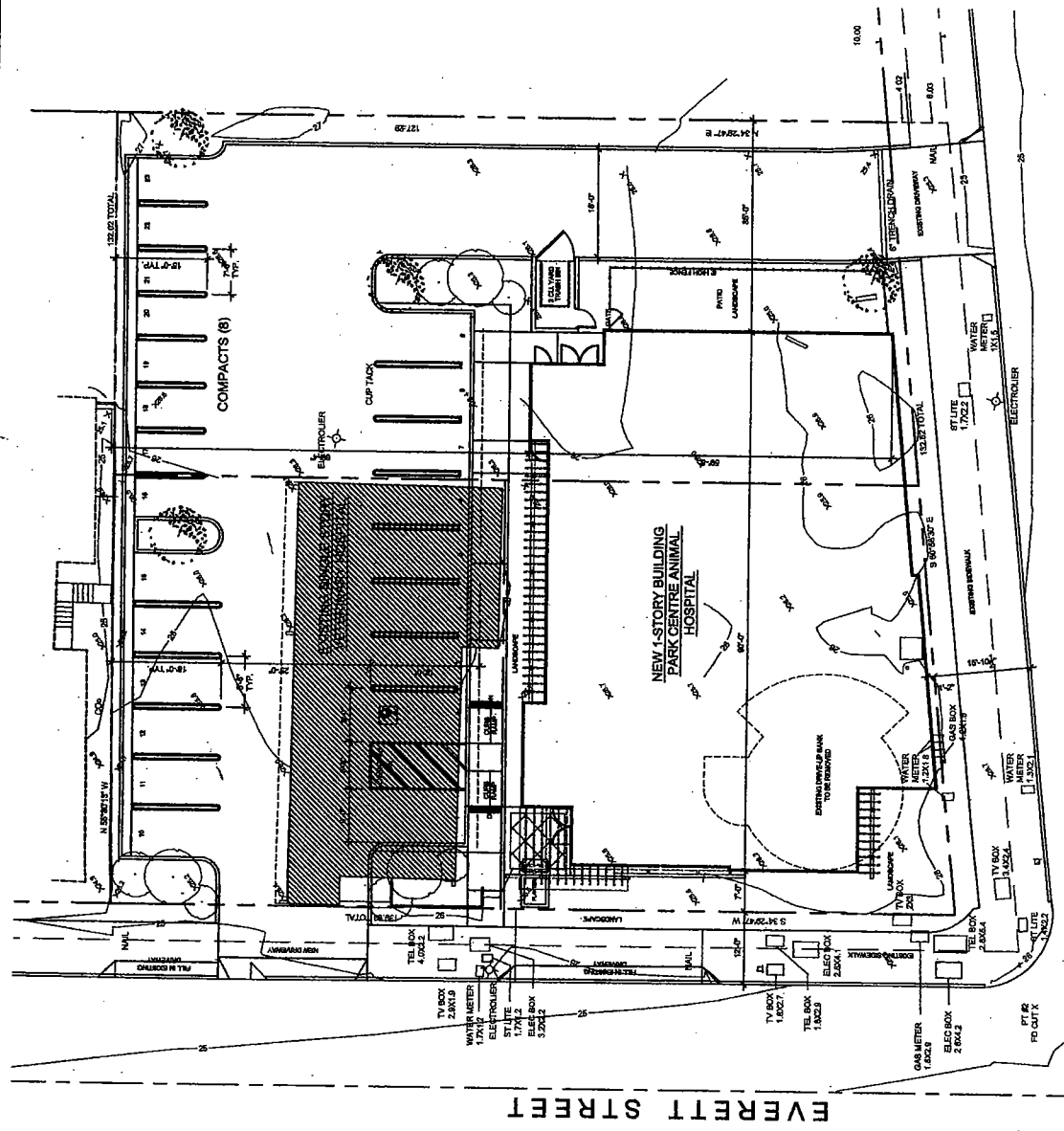
**Rauhaus Architects**  
22652 Shady Grove Circle, Lake Forest, CA 92630  
(949) 588-6187 • FAX: (949) 588-7394

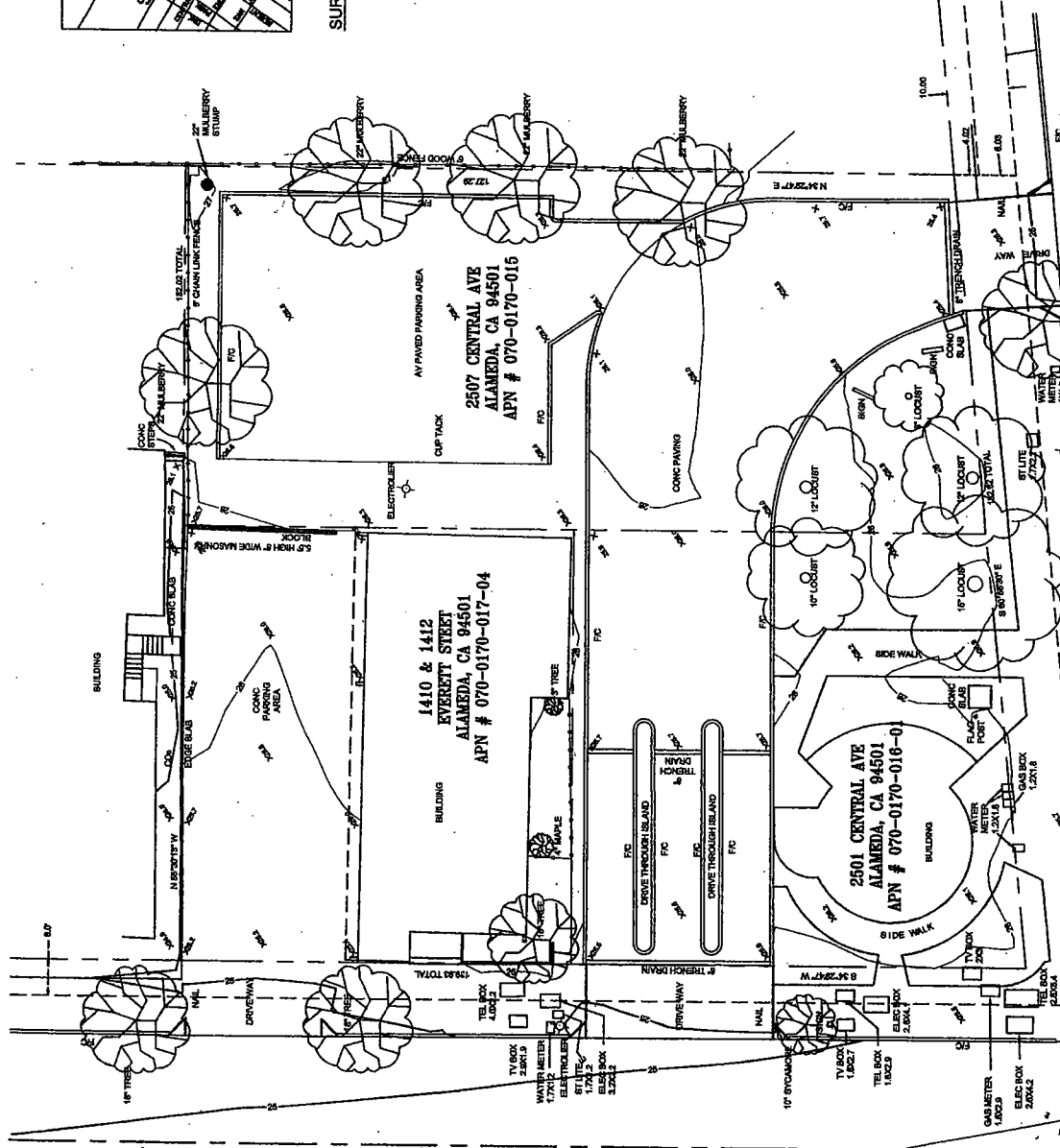
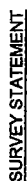


The use of these plans and specifications shall be limited to the project and site shown hereon and shall not be used for any other project or site without the written consent of the architect. This document shall not be used for construction without the written consent of the architect. The architect shall not be responsible for any errors or omissions in these plans and specifications.



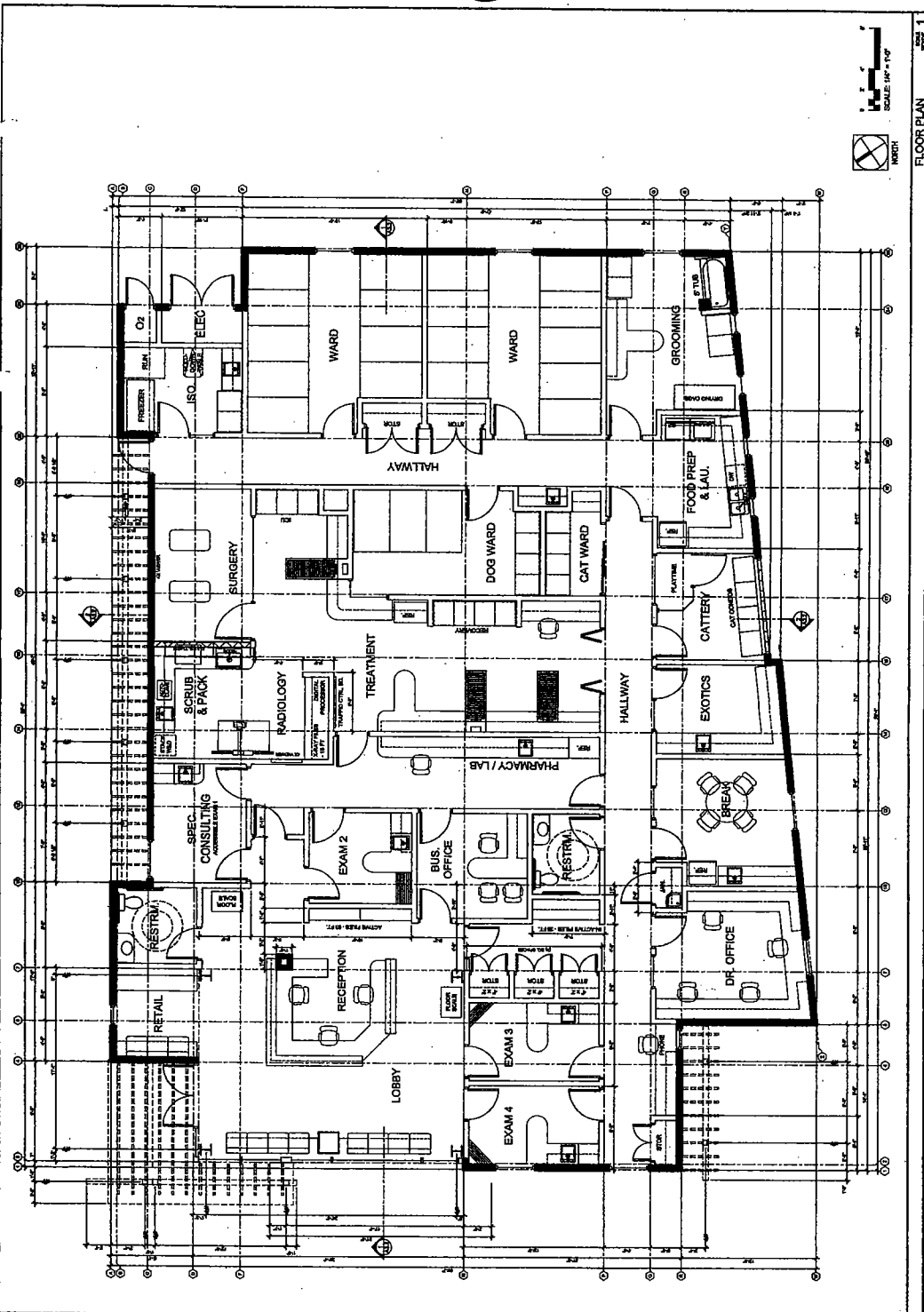
**K Centre Animal Hospital**  
1410 Everett Street, Alameda, CA  
Mary B. Applegate, DVM, Cary Wyder, DVM





EVERTHILL SL. 60 NIDE

THIS DOCUMENT IS THE PROPERTY OF RAUHAUS ARCHITECTS. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. IT IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF RAUHAUS ARCHITECTS.



**FLOOR PLAN**



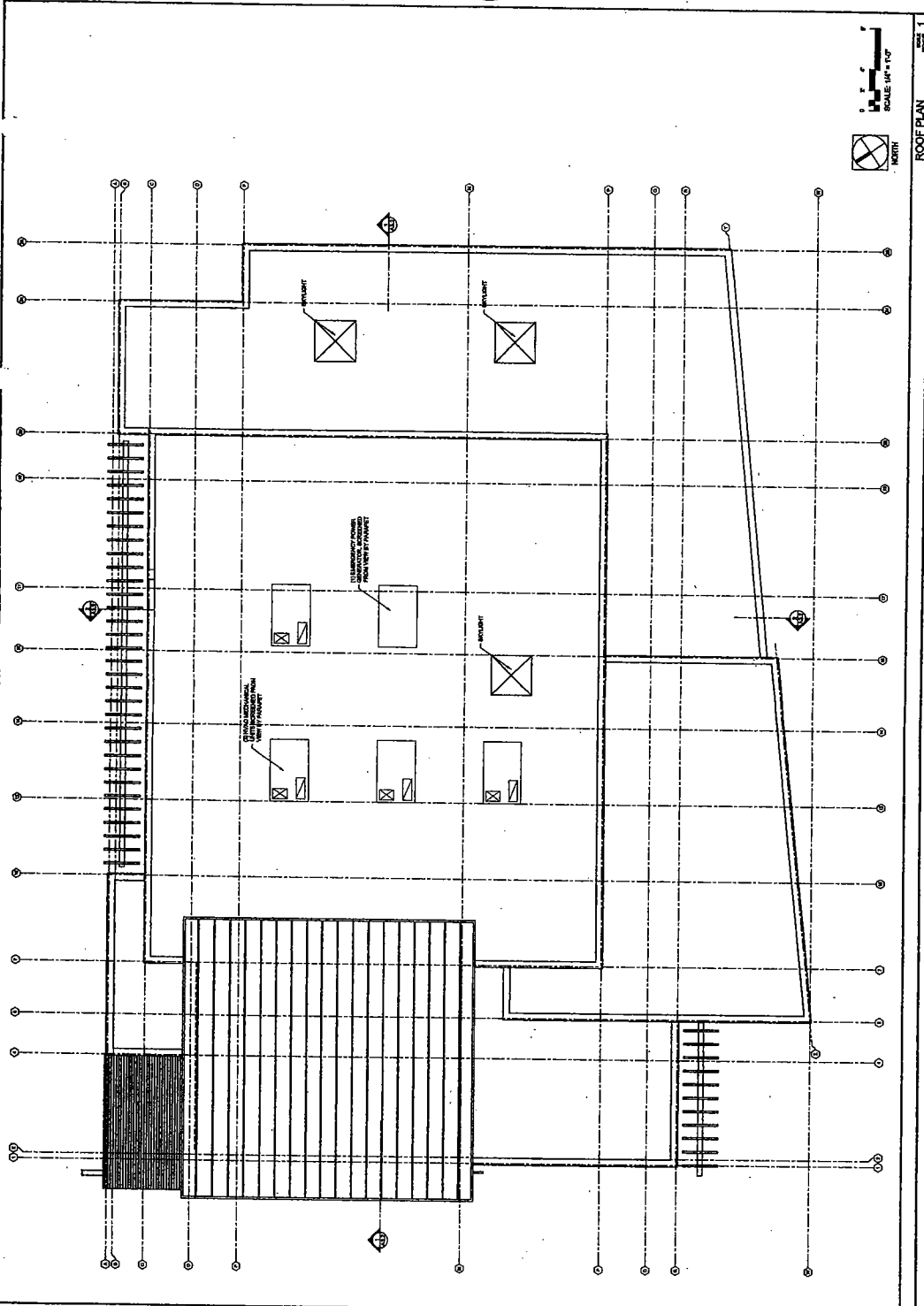


THESE PLANS WERE PREPARED BY THE ARCHITECT FOR THE PROJECT DESCRIBED HEREIN. ANY CHANGES TO THE PLANS MUST BE MADE BY THE ARCHITECT. THE ARCHITECT IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED BY OTHERS. THE ARCHITECT'S LIABILITY IS LIMITED TO THE PROFESSIONAL SERVICES PROVIDED. THE ARCHITECT DOES NOT WARRANT THE ACCURACY OF THE INFORMATION PROVIDED BY OTHERS. THE ARCHITECT'S LIABILITY IS LIMITED TO THE PROFESSIONAL SERVICES PROVIDED.



**Park Centre Animal Hospital**  
 1410 Everett Street, Alameda, CA

**A2.2**  
 ROOF PLAN

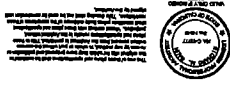


SCALE 1/4" = 1'-0"



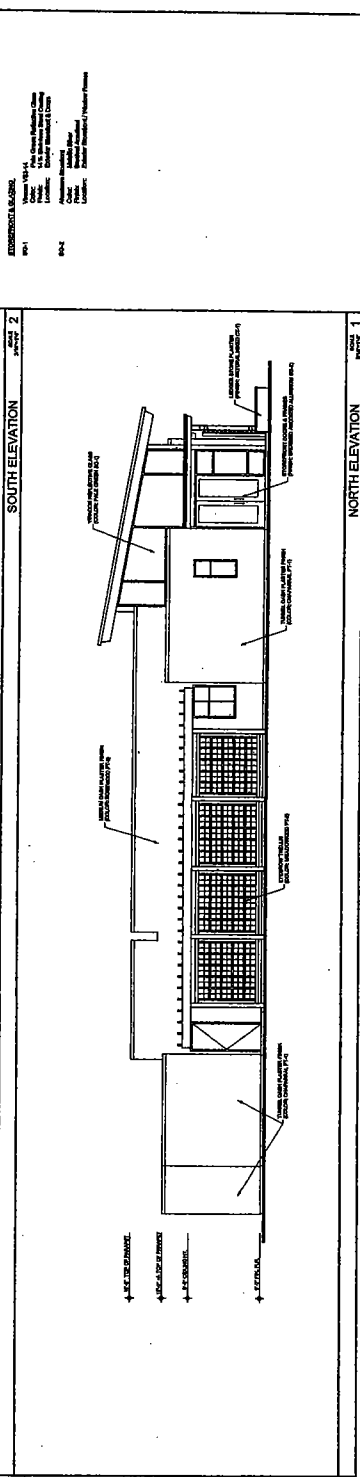
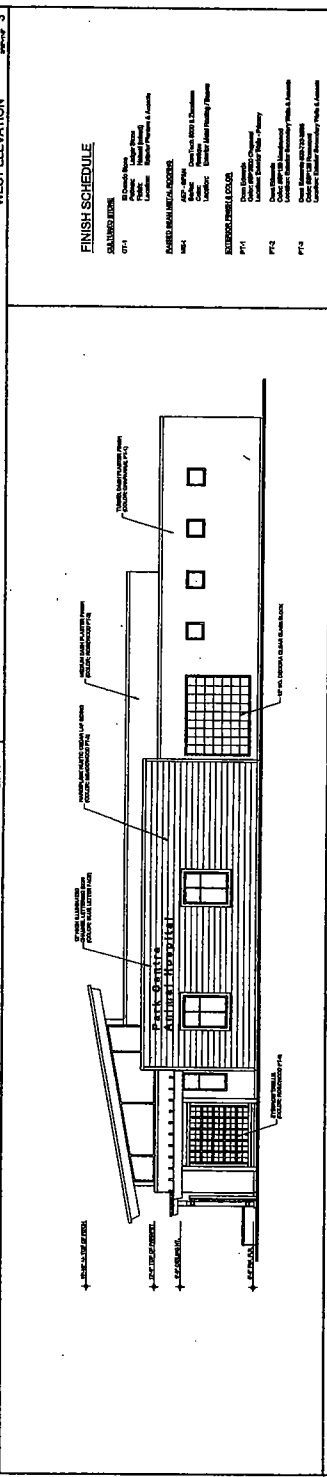
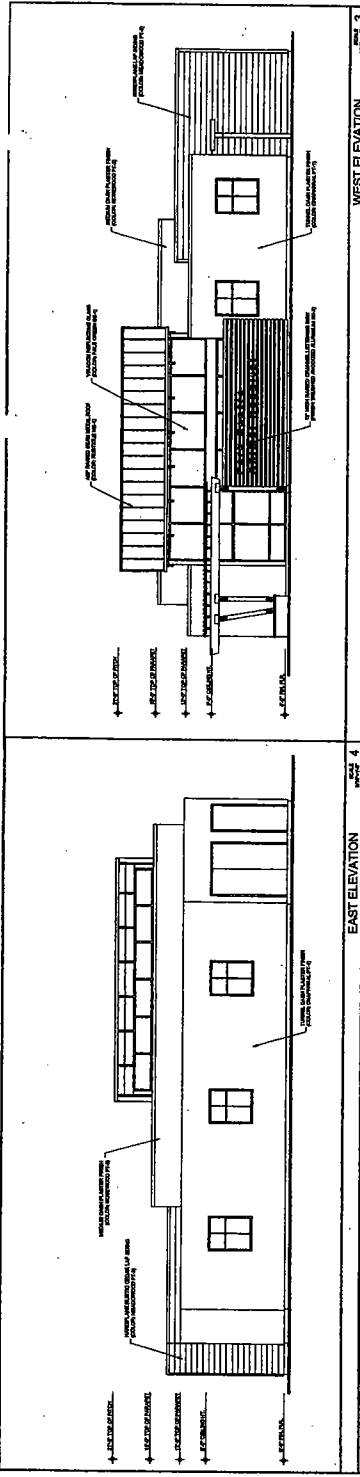
ROOF PLAN

1



**Park Centre Animal Hospital**  
 1410 Everett Street, Alameda, CA  
 Mary B. Applegate, DVM, CVA, WVD, CVT, PhD

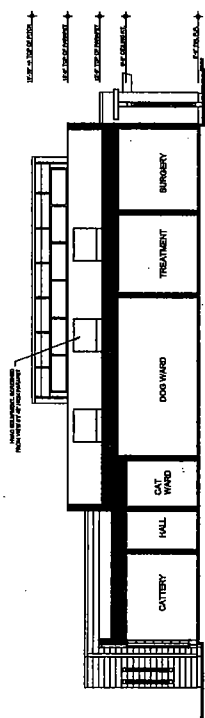
**A3.1**  
 SHEET NO.



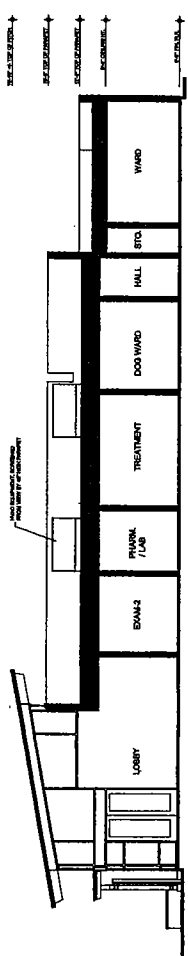
**FINISH SCHEDULE**

ITEM	DESCRIPTION
01-1	Interior Walls: Drywall, 5/8" thick, joint compound, sand, and prime.
01-2	Interior Ceilings: Drywall, 5/8" thick, joint compound, sand, and prime.
01-3	Interior Floors: Concrete, 4" thick, with rebar, and finish floor.
01-4	Exterior Walls: Concrete, 8" thick, with rebar, and finish floor.
01-5	Exterior Ceilings: Concrete, 8" thick, with rebar, and finish floor.
01-6	Exterior Floors: Concrete, 8" thick, with rebar, and finish floor.
01-7	Exterior Roofs: Concrete, 8" thick, with rebar, and finish floor.
01-8	Exterior Foundations: Concrete, 8" thick, with rebar, and finish floor.
01-9	Exterior Siding: Concrete, 8" thick, with rebar, and finish floor.
01-10	Exterior Windows: Concrete, 8" thick, with rebar, and finish floor.
01-11	Exterior Doors: Concrete, 8" thick, with rebar, and finish floor.
01-12	Exterior Stairs: Concrete, 8" thick, with rebar, and finish floor.
01-13	Exterior Ramps: Concrete, 8" thick, with rebar, and finish floor.
01-14	Exterior Fences: Concrete, 8" thick, with rebar, and finish floor.
01-15	Exterior Signage: Concrete, 8" thick, with rebar, and finish floor.

**CROSS SECTION**



**CROSS SECTION**



January 8, 2005

JAN 10 2005

Tom and Nancy Matthews  
2450 Central Ave  
Alameda, CA 94501

Mayor Johnson and Members of the City Council  
City Hall  
2263 Santa Clara Ave  
Alameda, CA

Re: Appeal of Planning Board Approval of Animal Hospital at Central and Everett

Dear Mayor Johnson and Members of the City Council,

My wife and I live directly across the street from the proposed Animal Hospital. We will be on vacation out of the country the night of the meeting and will be unable to attend. That's why I am writing this letter.

I do remember receiving a notice concerning this proposal but thought it related to a remodel of the existing facility. When I learned from a neighbor this week just what was being proposed, I immediately went to the Planning Department to learn the details. I am very troubled about this proposal and what we will look at every day.

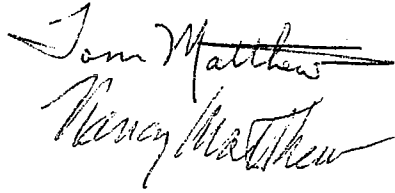
First, the building seems designed for a different neighborhood. The design is totally out of context from the residential apartments, condos and single family homes which are next to the site and across the street on Central and differ from the commercial building next to the site on Everett. The orientation should be to the east along Central, not the medical office across Everett.

While the address is on Everett St., the building will be viewed by more residents and vehicle traffic on Central. This view is hardboard lap siding, glass blocks and almost a blank stucco wall with small high windows which don't match the other windows on this side of the building. The setback from the property line is 14-20 inches which allows next to no room for landscaping. The Everett side has a 7' setback for landscaping. The Central view also has at least a 30" high illuminated sign which we will see day and night. The sign on the west side of the building (Everett) is not illuminated.

I know that we have missed our best opportunity at the Planning Board to have an influence on the design. If design changes to match the neighborhood character are not possible, I hope that you will, at least, ask the owner for changes on the Central side of the building. First, that the building be set back 7 feet from Central, the same as the Everett side and that the area be landscaped more heavily with taller plantings and trellises. Second, that the small, high windows on the Central side have the same top to bottom height as the other windows and glass blocks on this side of the building. Third, that the sign on Central not be illuminated matching the sign on Everett.

Thank you for your consideration of these matters. I imagine that you don't currently have the information from the Planning Department concerning this appeal but I can be reached at 523-9681 through Monday, January 10 if you have any questions.

Sincerely,

The block contains two handwritten signatures in cursive. The first signature is 'Tom Matthews' and the second is 'Nancy Matthews'. Both are written in dark ink.

Tom and Nancy Matthews

cc: Planning Department

January 10, 2005

Erin and Heather Beales  
2452 Central Ave.  
Alameda, CA 94501

05 JAN 12 PM 4:27

STANDARD

Re: 2Panning Board approval of animal hospital at Central and Everett  
Mayor Johnson and members of the City Council,

My wife and I live directly across the street from the proposed project. We will be out of town on the day of the next meeting on this matter. My neighbors Tom and Nancy Mathews will also be out of town on that day. Since we occupy single family residences, directly across the street, I would like to ask for a postponement of these proceedings until the next Meeting. If this is not possible please forward this letter and photos to all parties involved in the decision process of this project.

There are many problems pertaining to this project. The first is the notification process. I never received any notice of this project or of the first meeting. I only learned about it from a concerned neighbor. The Mathews who live next door to me received the notice but perceived it to be a notice that they were remodeling the existing facility. I recently went through this process when I put an addition on my house. I had to notify the neighbors through the permit dept. One letter would seem appropriate for a 150 sq ft addition on the back of a residence. Developing a commercial parcel on the edge of a residential neighborhood, that entails demolition of 2 existing structures and the construction of a 2 story 4000 sq ft building, should require a little more notification than one vague boiler plate letter.

The next problem I would like to address is the design. First of all the set backs on the plan I viewed could not possibly comply to the building code. Did they receive a variance to allow them to build 18" off the property line? I am also concerned with the amount of full growth trees that will be removed for this project. Central ave. is known for its large trees and that's what makes Central ave so unique and beautiful. The other big problem in the plans I viewed is the design. The code requirements and recommendations that I read when I applied for my permit had in depth descriptions pertaining to how these additions needed to match the current architecture of the house. And they should have details included that are era appropriate to the design i.e. double hung windows, gable roofs etc. I have gone to great expense to lovingly restore my home to its original glory. Many of my neighbors have as well. I cannot believe that you will allow this shoe box to be built in our neighborhood.

Re: Agenda Item # 5-A  
2-1-05

The sign proposed scales out to 30 to 40 sq ft . That does not comply to code.

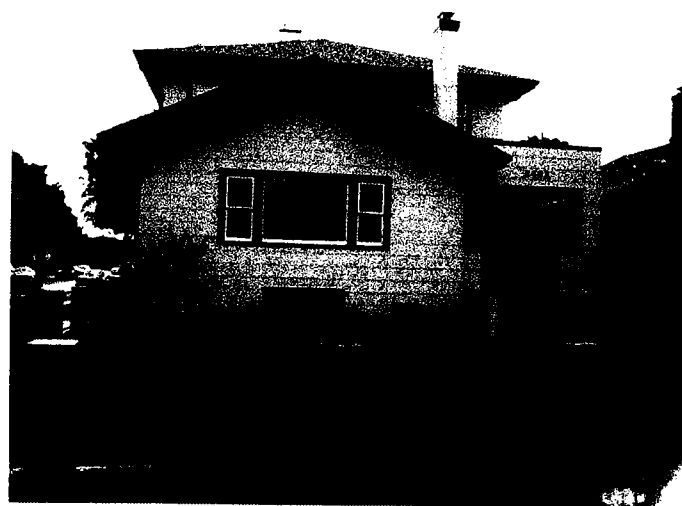
The sign is also neon backlit channel letters. There are no other illuminated signs on Central until you hit Park st. Instead of looking out his window at trees, as he dozes off to sleep, my 4 year old son is going to be staring at a lit up sign . But I guess that won't bother him because the sign will be overshadowed by the street lights reflecting off the shiny new galvanized air conditioning units. Heck, He'll probably think it's Christmas all over again.

I have enclosed photos of other residences in the neighborhood. Some of them are actually businesses. But you would never know because they look like houses. Why shouldn't they be forced to make their project resemble a residence. I have also enclosed pictures of what I see out my windows currently. All this vegetation will be gone and I will be viewing galvanized ducts and air-conditioning units on the flat roof of this new building. That's truly sad.

Now on to a current problem. Is the animal Hospital operating under a conditional use permit? Or are they currently zoned to conduct that type of business there. The reason I ask is because their current operation is detrimental to the neighborhood. At least 15 dog walks are conducted in my neighborhood by the animal hospital on a daily basis. These dogs urinate etc. on mine and my neighborhoods lawns and plants. The employees are good about picking up the feces but you cannot extract the dog urine from the lawn and plants. And leaving remnants of the feces are unavoidable. I have a hard time keeping my lawn green and I am very hesitant to let my 2 and 4 year olds out on the lawn because of these remnants. Is this legal activity under current zoning? I also presume that they are planning on ramping up business to pay for this huge new facility. Does this mean that the 15 dog walk count is going to be 30 a day now? If it is, we should dig up all the lawn in the neighborhood and pave it over. That will look real nice!. If this is allowable, what happens if another vet opens up in the area, there are now 60 walks a day plus the 20 from individual dog owners. That makes 80 now. That's allot, for basically a 6 square block area. Also where are these dogs going to be housed inside, outside. Is there a dog patio or dog run? Has any consideration been given to soundproofing of interior and exterior areas to protect neighbors from hearing the constant barking of dogs that don't feel so well?

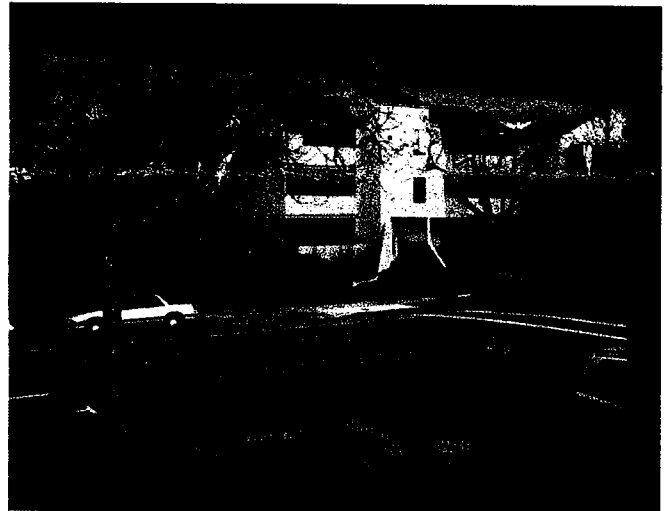
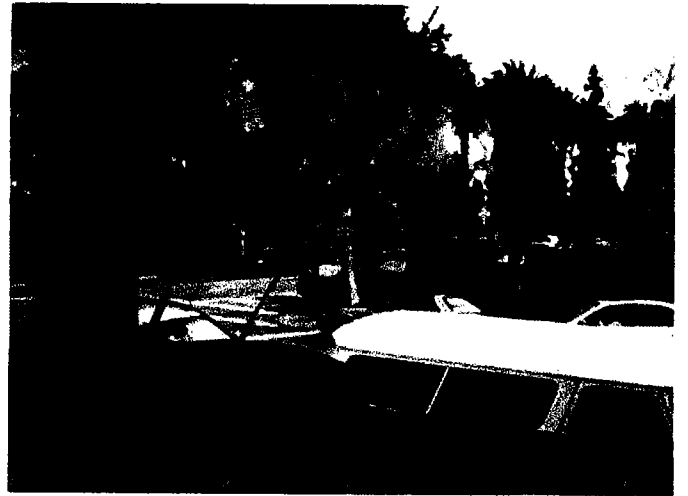
Sincerely,

Erin and Heather Beales



\* ALL STRUCTURES ARE WITHIN 75 YARDS OF THE PROPOSED PROJECT

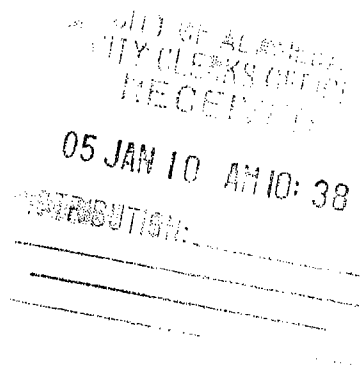




January 8, 2005

Tom and Nancy Matthews  
2450 Central Ave  
Alameda, CA 94501

Mayor Johnson and Members of the City Council  
City Hall  
2263 Santa Clara Ave  
Alameda, CA



Re: Appeal of Planning Board Approval of Animal Hospital at Central and Everett

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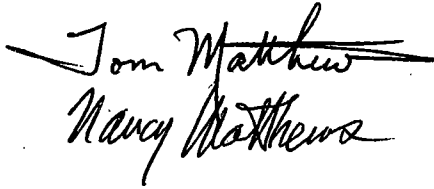
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Thank you for your consideration of these matters. I imagine that you don't currently have the information from the Planning Department concerning this appeal but I can be reached at 523-9681 through Monday, January 10 if you have any questions.

Sincerely,

Handwritten signatures of Tom Matthews and Nancy Matthews. Tom's signature is written above Nancy's, both in a cursive script.

Tom and Nancy Matthews

cc: Planning Department

CITY OF ALAMEDA RESOLUTION NO. \_\_\_\_\_

SUSTAINING THE PLANNING BOARD'S APPROVAL OF MAJOR DESIGN REVIEW DR04-0101,  
AND DENYING APPEAL BY J. BARNI, 1410 CENTRAL AVENUE

WHEREAS, on October 5, 2004, Doctors Mary Applegate and Cathy Wydner, DVM, filed an application for Major Design Review DR04-0101 to allow installation of a 5,300 square foot new one-level commercial building for a veterinary clinic, to replace approximately 2,000 square feet of commercial buildings, and to expand the parking lot to 23 spaces, on approximately one half acre at 1410 Central Avenue at Everett Street, as well as applications for Rezoning, Use Permit and Variance; and

WHEREAS, on December 13, 2004, the Planning Board found the application Categorically Exempt from review under the California Environmental Quality Act (CEQA), pursuant to Section 15303 of CEQA Guidelines finding no significant environmental effects; and

WHEREAS, on December 13, 2004 the Planning Board held a public hearing and approved DR04-0101; and

WHEREAS, on December 22, 2004 J. Barni, having spoken at the Planning Board hearing, timely filed an appeal on Major Design Review DR04-0101, without appealing Variance or Use Permit decisions; and

WHEREAS, on January 18, 2005 the City Council considered the appeal and examined pertinent maps, drawings, documents and testimony and after finding no merit to the bases of appeal, upheld the Planning Board's determination; and

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Alameda upholds and sustains the Planning Board's determination that the Major Design Review fulfilled findings as set forth in the Planning Board's Resolution and in staff's response to basis of appeal, in the staff report for December 13, 2004, under the City's Design Review procedures and guidelines, which was the sole basis of the appeal, and that after public hearing the City Council has not determined any other basis of appeal to deny the Major Design Review.

NOTICE. No judicial proceedings subject to review pursuant to California Code of Civil Procedure Section 1094.5 may be prosecuted more than ninety (90) days following the date of this decision or final action on any appeals plus extensions authorized by California Code of Civil Procedure Section 1094.6.

NOTICE. The conditions of project approval set forth herein include certain fees and other exactions. Pursuant to Government Code Section 66020(d)(1), these Conditions constitute written notice of a statement of the amount of such fees, and a description of the dedications, reservations and exactions. The applicant is hereby further notified that the 90day appeal period in which the applicant may protest these fees and other exactions, pursuant to Government Code Section 66020(a) has begun. If the applicant fails to file a protest within this 90 day period complying with all the requirements of Section 66020, the applicant will be legally barred from later challenging such fees or exactions.

\* \* \* \* \*

Resolution # 5-A  
2-1-05

Approved as to Form

CITY ATTORNEY

I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Council of the City of Alameda in a regular meeting assembled on the \_\_\_\_\_ day of \_\_\_\_\_, 2005, by the following vote to wit:

AYES

NOES:

ABSENT:

ABSTENTIONS:

IN WITNESS, WHEREOF, I have hereunto set my hand and affixed the seal of said City this \_\_\_\_\_ day of \_\_\_\_\_, 2005.

\_\_\_\_\_  
Lara Weisiger, City Clerk  
City of Alameda

CITY OF ALAMEDA ORDINANCE NO.  
New Series

RECLASSIFYING AND REZONING CERTAIN PROPERTY  
WITHIN THE CITY OF ALAMEDA BY AMENDING ZONING  
ORDINANCE NO. 1277, N.S., FROM R-5 (GENERAL  
RESIDENTIAL) ZONING DISTRICT TO C-C (COMMUNITY  
COMMERCIAL) ZONING DISTRICT, FOR THAT PROPERTY  
LOCATED AT 2507 CENTRAL AVENUE AT EVERETT STREET

BE IT ORDAINED by the City Council of the City of Alameda that:

Section 1. Section 11-116 of Ordinance No. 1277, N.S., is hereby amended by reclassifying from R-5 (General Residential) Zoning District to C-C (Community Commercial) Zoning District all the real property situated within the City of Alameda, County of Alameda, State of California, bounded by Everett Street on the west, Central Avenue on the south and private property boundaries on the east and north, described as follows:

Gross Acreage	Assessor's Parcel/ Address	Existing Zoning	Rezoned To
0.2	070-170-015 2707 Central Avenue	R-5	C-C

Section 2. The above amendment shall be known as and reference to as Reclassification and Rezoning Amendment No. \_\_\_\_ to Ordinance No. 1277, N.S.

Section 3. This Ordinance shall be in full force and effect from and after the expiration of thirty (30) days from the date of its final passage.

\_\_\_\_\_  
Presiding Officer of the Council

Attest:

\_\_\_\_\_  
Lara Weisiger, City Clerk

\* \* \* \* \*

Introduction of Ordinance # 5-B  
2-1-05

Approved as to Form  
CITY ATTORNEY

I, the undersigned, hereby certify that the foregoing Ordinance was duly and regularly adopted and passed by Council of the City of Alameda in regular meeting assembled on the \_\_\_\_\_ day of \_\_\_\_\_, 2005, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

IN WITNESS, WHEREOF, I have hereunto set my hand and affixed the official seal of said City this \_\_\_\_\_ day of \_\_\_\_\_, 2005.

---

Lara Weisiger, City Clerk  
City of Alameda

The staff report for Agenda Item #5-C  
will be provided under separate cover.



1-27-05

Councilmember Doug deHaan:

My husband, Jerry Reynolds, and myself have been Landlords in Alameda for the past 10 years. We have approximately 25 units, mainly 4-plexes and 2-plexes in Alameda. We also live in Alameda and vote in every election.

We are opposed to any rent control or other restrictions that are now being proposed by the City Council.

Why should we who **are already distressed by high vacancy rates in our properties** and, just as important, **are suffering a fall in rental revenues of at least \$200/unit**, be further taxed and burdened for the bad management of one landlord (The Fifteen Group). We are small time investors and we need all the help we can get from our City Council to protect our present landlord/tenant laws.

One of the main reasons we invested in Alameda is because of the lack of rent control, which allows us to be able to rehab and take good care of our properties. The eviction rules that we have at present in Alameda allow us to keep decent hard-working and responsible tenants in our buildings which is a great asset to keep Alameda neighborhoods thriving and safe.

Please don't punish us for the lack of good judgment done by The Fifteen Group.

Thank you,

Constance Reynolds  
1357 Crown Drive  
Alameda, CA 94501

876-522-6534

Thursday, January 27, 2005 America Online: Conrey10

Re: Agenda Item # 5-C  
2-1-05

January 26, 2005  
2618 Janis Circle  
Alameda, CA 94501  
510-521-7257

Alameda City Council  
2263 Santa Clara Avenue

Re: Options for Relocation Allowance and Temporary Moratorium  
scheduled for the February 1, 2005 agenda of the City Council.

A tenant residing in a complex of 39 units would not be entitled to a relocation allowance, and a landlord of such a complex would not be obliged to pay it. On the other hand, a tenant residing in a complex of 40 units would be entitled to the allowance, and the landlord of that complex would be obliged to pay it. Such unequal treatment seems arbitrary and capricious. I urge the council to make all landlords pay, if the council makes any landlord pay.

There are many households in Alameda that are having difficulty making ends meet. Some of those households are classified as low income. The rest are not. The low income households will be eligible for dislocation allowances. The rest will not. Surely, there will be unequal treatment taking place. I ask the council to explain why such treatment is necessary.


A concern for equal treatment also prompts me to comment on the moratorium option referenced above. The landlords in the Atlantic Corridor will have a moratorium imposed upon them. The other Alameda landlords will not. Again we will have Alamedans being treated unequally. Will this unequal treatment also be deemed necessary? Perhaps so, but I urge the council to consider two alternatives. One is a citywide moratorium. The other is no moratorium at all.

Respectfully submitted,  
*Edward J. Murphy*  
Edward J. Murphy

## Mail Message

N

Close Previous Next Forward Reply to Sender Reply All Move Delete Read Later Properties  
[Print View](#)

**From:** ANNE HARRIS <anneharriseseaside@msn.com>  
**To:** Frank Matarrese, Marie Gilmore, Doug DeHaan, Tony Daysog,  
dc2doug@aol.com  
**Date:** Wednesday - January 19, 2005 1:55 PM  
**Subject:** Rent control from Anne Harris  
 Mime.822 (11338 bytes) [\[View\]](#) [\[Save As\]](#)

Dear Alameda City Council members Daysog,  
deHaan, Gilmore, and Matarrese:

I am writing concerning rent control. I own a 4 unit apartment building in Alameda. I lived in Alameda for 25+ years, just retiring to Oregon last year to be near my grandson and oldest daughter.

Like many/most other rental property owners in Alameda, I only own the one small apartment building. I worked hard and saved my money beginning in my 20's. I invested first in a house, then traded up over the years to the 4 unit building I now own in Alameda. I did most of the work myself on my earlier units, with help from my children. I rely on my Alameda apartment building for part of my retirement income (I am 65 years old).

Rental housing is immensely controlled right now by a myriad of state laws. I went to a six week class put on by the local RHA, 8 hours a week, to learn something of these laws. They are

Mayor Beverly Johnson  
Vice-Mayor Marie Gilmore  
Councilman Tony Daysog  
Councilman Doug deHaan  
Councilman Frank Matarrese



*REVISED 1/18/05*  
**Kane & Associates**  
R E A L T O R S

Dear City Council,

I am concerned to hear that you are being asked to consider an ordinance to limit circumstances under which evictions by Alameda landlords can be issued.

I have lived and worked at selling real estate in Alameda for over 30 years, and feel strongly that this type of action would be a great mistake for the City of Alameda and those in need of affordable housing.

First of all the average rental unit in the city of Alameda is a "mom and pop" operation. It is usually between 2 and 5 units and very often **sprinkled in the midst of non-income property homes which could be negatively impacted by this type of law due to the deferred maintenance which laws like this have as a result.**

The vast majority of our Alameda landlords are caring about their tenants. Why should they have to now receive punishment for the actions of the out of state Florida Group who failed to keep their property in good operating condition and then acted imprudently?

Over the years I have watched the results of rent control and many city ordinances regarding landlord-tenant relations in our neighboring cities of Berkeley, Oakland, and San Francisco and have seen that **they are detrimental and costly to renters, landlords and other property owners of the city in general.** In researching these type of laws with the California Association of Realtors, I saw several studies (**Most current study about San Francisco is included with this letter**) which confirmed the following:

- 1. Rent controls and these type of ordinances do not end up accomplishing what they set out to do.** Elderly tenancies actually decrease. Landlords are afraid of taking on a tenant who might end up with a "life estate" in their property. Property owners discriminate between renters, being more careful to choose those who are more able to pay and maintain the property. This leads to less availability of housing for the poor.
- 2. Rent ordinances and controls discourage private sector capital investments in a city.**
- 3. Rent controls actually reduce the number of rental units** due to lack of interest in rental property ownership. Currently in San Francisco, smaller units are being bought up by big conglomerates and then sold as owned "tenants in common" properties. They are then out of the rental pool.

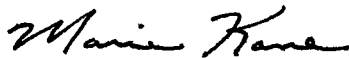
**4. Rent control and rental ordinances lead to deferred maintenance by rental property owners, which affect neighboring properties and property values throughout the city and then of course lead to lower city revenues.**

5. Rent control and rental ordinances have substantial administrative costs that the city would have to bear.

**6. Rent control actually encourages rental increases in the case of the elderly** when often the small investor would not make them out of kindness for a long term tenant. I have seen such behavior time and time again. The property owner is forced to raise rents when they are afraid they will later miss out on keeping up with what is allowed.

In conclusion, please read the attached study and explore the other studies cited, before the meeting on January 18th. Hopefully you will understand why I have come to the conclusion that rental ordinances and controls actually work against the elderly and the poor in creating less affordable housing for those in need. I feel an ordinance of this type would detrimentally affect our city and those you and the citizens of Alameda are currently working to help.

Sincerely,

A handwritten signature in cursive script that reads "Marie Kane".

Marie Kane  
Kane and Associates



CALIFORNIA ASSOCIATION OF REALTORS<sup>®</sup>

## San Francisco's Rent Control Study

Conducted by C.A.R. Staff  
July 2003

### PURPOSE

The San Francisco Board of Supervisors conceived rent control as a temporary measure. The original rent control ordinance No. 181-79 was scheduled to last 60 days, from April to June 30, 1979. In the meantime, the City and County of San Francisco was to develop and adopt *other* measures to alleviate the City's housing crisis. A moratorium, several amendments and ordinances have extended the life of the Rent Control ordinance to this day.<sup>1</sup>

The purpose of the ordinance was to

1. Solve the lack of affordable and decent rental housing and
2. Address the displacement and financial burdens created by it to:
  - a. Low and moderate-income households, and
  - b. Senior citizens.

This study will explore if indeed it has accomplished its purpose.

### METHODOLOGY

#### Sources

- Bureau of Labor Statistics, U.S. Department of Labor, *Consumer Price Index* at <http://www.bls.gov/cpi/home.htm>;
- San Francisco Government, *San Francisco Administrative Code, Chapter 37, Rent Control Ordinance*;
- San Francisco Rent Board, *San Francisco Housing DataBook* at [http://sfgov.org/site/rentboard\\_page.asp?id=6130](http://sfgov.org/site/rentboard_page.asp?id=6130)
- U.S. Bureau of the Census, *American Housing Survey San Francisco/Oakland PMSA* for the years 1985, 1989 and 1993; *Annual Housing Report San Francisco-Oakland SMA* for the years 1975, 1982; *1980 Census of Housing, Subject Reports: Space Utilization of the Housing Inventory*;

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<sup>1</sup> San Francisco Government, *San Francisco Administrative Code, Chapter 37, Rent Control Ordinance*, Section 31.1 Title and Findings (b) (4), (5) and (6).

- U.S. Department of Housing and Urban Development (HUD), *HUD Data Sets* at <http://www.huduser.org/datasets>; and *State of the Cities Data System (SQDCS)* at <http://socds.huduser.org/scripts/odbc.exe/census/Screen3.htm>.

### **Inflation**

All dollar amounts are inflation adjusted and indexed to 1980. Comparison statistics vary depending on data available. Whenever it was possible, statistics from before the effective adoption of rent control in 1979-1980 were used. If these figures were not available, the year closest to rent control adoption was used.

Figures for the San Francisco Metropolitan area stop in 1993 because the American Housing Survey changed the geographical definition for San Francisco-Oakland area in 1998 and the emergence and crash of the dot-coms in Silicon Valley skewed significantly all posterior housing data.

### **Definitions**

"San Francisco area" or the "regional market" is the San Francisco-Oakland Metropolitan Area as defined by the Bureau of the Census, *American Housing Survey San Francisco/Oakland PMSA*, years 1985, 1989 and 1993.

"San Francisco City" or "San Francisco" refers to the City/County of San Francisco exclusively as currently defined by the Bureau of the Census.

"FMRs" (Fair Market Rents) are gross rent estimates. HUD publishes standards of what is considered a fair market rent. That is the rent that determines the eligibility of rental housing units for the Section 8 Housing Assistance Payments program. The calculation for the rent includes the shelter rent plus the cost of all utilities, except telephones. HUD sets FMRs to assure that a sufficient supply of rental housing is available to program participants. To accomplish this objective, FMRs must be both high enough to permit a selection of units and neighborhoods and low enough to serve as many low-income families as possible. The level at which FMRs are set is expressed as a percentile point within the rent distribution of standard-quality rental housing units. The current definition used is the 40th percentile rent, the dollar amount below which 40 percent of the standard-quality rental housing units are rented. The 40th percentile rent is drawn from the distribution of rents of all units occupied by recent movers (renter households who moved to their present residence within the past 15 months). Public housing units and units less than 2 years old are excluded. HUD, *Fair Market Rents For The Section 8 Housing Assistance Payments Program*, <http://www.huduser.org/datasets/fmr/fmrover.doc>.

### **FINDINGS**

#### **1. Rent Control does not preserve or enhance ethnic diversity.**

- Rent control does nothing to preserve or enhance ethnic diversity in the regional rental market. In 1978, just before rent control was adopted 90,200 Black/African-

American renters resided in the San Francisco area, representing 16% of the total rental population (570,700). By 1993, the percentage in the regional market had dropped to 12%, (70,700 Black/African-American renters out of 587,600 total renters).

- Rent control does nothing to preserve or enhance ethnic diversity within the rent control units in the regional market. In 1982, 15%, or 20,400, of the rent control units were occupied by Black or African American households, in 1993 this percentage dropped to 8% (10,600).

## **2. Rent control does not generate affordable and decent rental housing**

- Rent control increases prices in the general rental market. Rent control increases pressure for housing in the surrounding uncontrolled rental market. Increased demand is caused by "cheap units" (below market prices for rent-controlled units whose prices are expected to fall even more as time passes by). But the number of rent-controlled units is limited and this supply is not likely to increase in the same magnitude demand is growing (due to a lag in production as well as removal of units from the market).
  - Between 1970 and 1980 rent prices actually **decreased** 5.8% (\$297.32 to \$281). From 1980 to 1993 prices **increased** 46.3% (\$281 to \$411.14).
  - The average annual percent increase in rent was 3.6% for the period 1980-1993; the average annual percent increase in rent from 1970 to 1980 was -.58% (yes, minus six percent!).

## **3. Rent control does not benefit low and moderate-income households**

- Wealthier tenants are occupying rent-controlled housing. 1993 tenants were 18.7% wealthier than 1982 tenants. The median income of such a tenant rose from \$13,833 in 1982 to \$16,415 in 1993. That is wealthier tenants are displacing lower income households from the rent controlled units and the rental market.
- New tenant households (those who moved within last year into rent controlled units) tend to be wealthier than average tenants. In 1993, new renters were 123.7% wealthier than elderly renters, 16.8% wealthier than Hispanics and 4% wealthier than Blacks. That is, replacement in the rental units is being done with wealthier, rather than low and moderate-income households.
- A very small percentage of low-income households are housed in rent-controlled units, while the rest face excessive rents. In 1993, the FMR (Fair Market Rent) for San Francisco, according to HUD, was \$177/month or \$2,121.4/yr. For the same year, the median rent in San Francisco was \$411/month or \$4,932/yr. (\$234/month, \$2,808/yr. or 232.49% higher than the FMR). Only 10% of the households housed in rent-controlled units that year were classified as below-poverty (13,100 from a total of 135,800 units) and they represented 21% of the total below poverty rental population (13,100 from a total of 62,000). The other 79% (48,900) of below poverty households faced rents 232.49% higher than HUD's FMR. These households faced substantially expensive free market rents, while wealthier households kept profiting from rent control, and had to devote above 30% of their household income in rent.
- Rent control does not alleviate needy households' rent burden. The households that already are paying above the 30% of their income, as suggested by HUD, will continue to do so, while wealthier ones find comfort in the current rental prices. For example, in 1993, given a median annual rent of \$4,932, the rent burden for:



1. a Black household in a rent controlled unit with an annual median income of \$11,685.4 was 42.2%,
  2. an elderly household in a rent controlled unit with an annual median income of \$7664.1 was 64.3%,
  3. a Hispanic household in a rent controlled unit with an annual median income of \$17,111 was 33.7%,
  4. a "moved within last year" household in a rent controlled unit with an annual median income of \$17,111.8 was 28.8%.
- In 1985, 11% of rent control units were occupied by below poverty households; in 1993, the percentage was 10%.

#### **4. Rent control does not benefit Senior citizens**

- In 1970, senior citizens constituted 18% of the rental population, in 1993 their percentage had dropped to 11%.
- Rent control does not increase housing for senior citizens in rent-controlled units. In 1985, senior citizens occupied 11% of the rent-controlled units; by 1993 the percentage remained 11%.

#### **CONCLUSION**

Based on the findings, rent control has not created a pool of affordable and decent rental housing and has not increased the number of very-low and low-income households and seniors housed in rent-controlled units. In the twenty-four years that rent control has been used in the City of San Francisco it has not solved the problem it was designed to alleviate.

# Pernicious Effects of Rent Control

This document contains a summary of the most relevant studies that provide hard data to prove some or several of the pernicious effects of rent control: high administrative costs; housing stock deterioration; housing stock obliteration; low investment in development; loss of revenue taxes; loss of construction jobs; shrinking of housing services; benefits higher income tenants; and, diminished diversity. Studies addressing theoretical implications are listed in the bibliography and are excluded from this document.

## ADMINISTRATIVE COSTS

Rent control requires costly enforcement procedures and a specialized bureaucracy. Hiring more officials to perform this job costs money, which could be used for alternate programs. In addition to these direct costs are the costs of losing taxes via lower assessments and lower number of business licenses (please see Deterioration of the housing stock) and the costs of other housing programs *introduced to compensate for reduced private sector expenditure*. **Rent control administrative costs** information can be obtain either through the *Local Rent Control Board Financial Report* and/or the *City Budget*. These might be requested directly to the City or it might be posted in the Internet.

For example, information obtained from the Santa Monica Rent Control Board, from the Annual Operating Budget and Final Budget Report fiscal years 1997 through 2002, shows that the Board, on average: spent \$3,703,830; collected \$3,771,496.20; had a surplus of \$67,666.20; and, billed 26,764 units. In the fiscal years 1997-1998 and 1998-1999, the Board ran a deficit, but it managed to overcome it by cutting jobs and expenditures, while keeping revenues constant.

### Sample studies about administrative costs:

Community Development Department, City of Berkeley, *Rent Control in the City of Berkeley, 1978-1994: A Background Report for Updating the City of Berkeley's General Plan Housing Element Berkeley, 1994*. The Rent Stabilization Program costs about \$2,500,00 annually to administer. In order to cover its costs, fees are collected from every unit (\$115 in 1994) and this cost is passed to the tenants. The board administers around 18,700 units (the city has 24,455 units or 4,400 properties) and deals with 3,000 landlords.

JurEcon Inc., *Rent Control: The Economic Effects*, 1984. This economic study explores the consequences of rent control for landlords, homeowners, businesses and the community using data from the cities of Los Angeles and Santa Monica. The section on *Public Sector Effect of Rent Control*, proves a valuable resource. An example of the figures is this, in the year 1980-81 the City of Los Angeles spent \$2,716,017 (1980 dollars) on rent control plus another \$923,000 (for that same period and 1982-1983) *for criminal prosecution of owners of apartments who did not comply with the ordinance* (p.45). Also, since the City charges a \$7.00 fee per unit, it has been making money from rent control up until the fiscal year 1984-1985 while burdening tenants and landlords (with unoccupied units) to bear the costs of administration.

Selesnick, Herbert L., *Rent Control*, D.C. Heath and Company, United States of America, 1976. This study conducted in Massachusetts was designed for legislative decision makers. Although some parts of the book advocate for rent control and the time span it covers is too short for meaningful evaluation, it shows that the measure: creates higher rents in adjacent markets;

increases underwriting mortgage refusal, thereby affecting new construction; and, creates new administrative costs.

St. John and Associates, *The Effects if Rent Control on Local Government Revenue*, September 1988. Written for a group of anti-rent-control organizations in Berkeley, the study lists the costs of rent control, a total of \$5.8 for 1988, and provides some revealing statistics by jurisdiction (County, city) and tax (property, transfer, license fees, etc.). The amount lost in taxes, the study points out, *would be sufficient to provide a \$250-month housing subsidy to over 1,900 rental units. This compares to only 1,600 Berkeley units subsidized by the Federal Government under the Section 8 program. The elimination of local rent control, in other words, would provide Berkeley with sufficient additional revenue to double the low income housing subsidy program with no additional taxation* (p. 18).

## DECONTROL

Removing rent control will have the expected effect of raising rents, but not nearly as much as the detractors of the measure claim.

### Sample study about decontrol:

Hayek, Friderick, Milton Friedman (Contr.), *Rent Control Myths & Realities*, Vancouver, Canada, The Fraser Institute, 1981. This book contains several essays about the politics, theory and practice of rent control. Chapter 13 is devoted to the issue of decontrol and presents a formula to calculate the impact of decontrol on rent prices, thereby providing us with an important tool for discussion setting aside unfounded speculations. Chapter 14 has a small section where advice is offered on decontrol strategies.

## DEMOGRAPHIC CHANGE

Property owners discriminate between renters, choosing the ones that seem more likely to pay and maintain the property in good condition. Their objective is to minimize losses. This behavior results in displacement of low and lower-income population in favor of wealthier, more educated and less ethnically diverse one (gentrification), and ultimately change in the demographic composition of the city. Thus, while a particular group benefits from rent control, the population that seemingly needs lower rents, such as the one composed of seniors, students, minorities and low-income groups, is seeking housing in the non-rent controlled expensive rental market, wealthier households overstay their tenures and remove housing units from the market (see also Shrinking of Housing).

### Sample studies that prove there is a direct link between rent control and changes in demographic patterns:

Block, Walter and Edgard Olsen (Ed.), *Rent Control: Myths and Realities*, The Fraser Institute, Vancouver, Canada, 1981. In the chapter "The Presumed Advantages and Real Disadvantages of Rent Control" by Richard W. Ault, the author points out that a fundamental problem of rent control is that there generally is no "mechanism for assuring that benefits are concentrated among poor tenants or that the greatest sacrifices are made by the wealthiest landlords." He also says that studies have shown that in New York City, more than one-third of the families with below median incomes live in housing not subject to rent control while over one-half of the families with above the median income live in rent controlled units. Finally, he

challenges the assertion that rent control assists poor people by asking why ordinances are typically implemented in communities having high per capita incomes and, in most instances, having an unusually low proportion of low income residents?

California Association of REALTORS®, *San Francisco's Rent Control Study*, <http://www.car.org/library/media/papers/pdf/San%20Francisco.pdf>, 2003. This study shows how rent control does not benefit low and moderate-income housing, does not preserve ethnic diversity and does not benefit senior citizens.


Community Development Department, City of Berkeley, *Rent Control in the City of Berkeley, 1978-1994: A Background Report for Updating the City of Berkeley's General Plan Housing Element Berkeley, 1994*. Demographic change is also felt in the surrounding communities of a rent-controlled city. This study on the City of Berkeley provides a clear example of gentrification. *Clearly, higher-income tenants have moved in to replace lower-income tenants as rents increased in both Albany and North Oakland, while the slower rate of increase in Berkeley rents allowed lower-income tenants to continue to rent here (p. 108).*

Los Angeles Times, "Santa Monica: Only the Elite Need Apply", April 8, 1984. In Santa Monica, according to the landlords interviewed for this article, it doesn't make sense to advertise vacant apartments in the classified ads. Most advertising is done by word of mouth or listed with a rental agency that charges anywhere from \$40 to \$1,000 in finder's fees. According to the Apartment Association, apartments are more often than not rented to young professionals who earn a lot of money and have the ability to canvass the community to find an apartment. The city's planning department, according to the article, acknowledges that there has been a significant reduction in the availability of housing for low and moderate-income people since rent control was enacted. Rent control proponents point out, on the other hand, that the declining availability of low and moderate-income housing would have happened sooner without rent control.

Real Estate & Land Use Institute, *Rent Control Issues and Impacts*, Sacramento California, 1994. This study analyzes rent control in the cities of Berkeley and Santa Monica. finding that it: creates biases against certain age groups, decreases the number on lower income renters, creates gentrification, changes in cultural diversity and decreases the percent of the population that rented. *In the case of the subject cities, it appears that the age groups most likely to decline in size are those in which families are more likely to occur, affecting family composition, and in the elderly population (p. 5).*

## DETERIORATION OF THE HOUSING STOCK

Under-maintenance of rental properties is a common response to rent control. As time goes by, units deteriorate and tenants start complaining about the lack of maintenance. Measuring the increase in complaints and the type of deterioration (otherwise known as deficiencies in housing) are two indicators of deterioration of the housing stock.

 Sample studies that prove there is a direct link between rent control and deterioration of the housing stock:

JurEcon, *Rent Control: The Economic Effects*, 1984. JurEcon's researchers interviewed landlords in Santa Monica and Los Angeles to collect specific information about their apartment buildings before and after the implementation of rent control. One goal of the questionnaire was

Pollakowski, Henry, *Rent Regulation and Housing Maintenance in New York City*, MIT Center for Real Estate, May 1999. This is one of the most telling studies of the effects of rent control on maintenance in the city of New York. Some of the findings are: rental dwelling deficiencies and defects reflect landlord behavior better than others; maintenance deficiencies, dwelling characteristics, and occupants differ from pre-1947 and post-1947 stabilized rental housing stocks; and, mobility rate is linked to property upkeep.

⚠ **Warning:** not all the cities with rent control exhibit great deterioration due to strict regulations found in the Rent Control Ordinance which forces landlords to properly maintain the properties. If these rent controls do not allow for fair returns for landlords and only allow a rent increase in the magnitude of the operation and maintenance increases, then landlord's income remains stable and there is a rapid decline in the building's profitability.

### **DIMINISHED PROPERTY VALUE AND TAX BASE**

Rent control results in loss of property value and lower assessments (which are a byproducts of deterioration and obliteration of the housing stock) that decrease the revenue obtained from property taxes. By comparing annual changes in property tax revenue since before the approval of rent control, might help establish how much is the City losing due to this measure. Rent control, through time, diminishes the value of residential income property.

📊 **Sample studies** that prove there is a direct link between rent control and loss of property tax income and changes in property value:

Community Development Department, City of Berkeley, *Rent Control in the City of Berkeley, 1978-1994: A Background Report for Updating the City of Berkeley's General Plan Housing Element Berkeley, 1994*. The major cost of the system to the City of Berkeley is not the cost of operating the program [\$2,000,000 annually]; these costs are passed on to the tenants in higher rent ceilings. The real cost to the City is the foregone tax revenues that result from lower property values and rents. This loss is shared with the many government entities that share in property tax revenues, with Berkeley getting 40 percent, Alameda County 29 percent and the Berkeley Unified School District 18 percent of property tax revenues... In sum, the amount of foregone taxes from 1979 to 1991 totals \$11,900,000, and the annual rate of foregone taxes had reached \$1,825,000 a year in 1991 (pp.132, 136).

JurEcon, *Rent Control: The Economic Effects*, 1984. According to JurEcon, the imposition of rent control will adversely affect the government's ability to provide existing public services if it either erodes the real value of the existing tax base or necessitates public expenditures which are not currently being made. In their opinion, both effects have been noted in California. JurEcon found that several tax bases—property, income and sales—are affected by rent control.

National Association of REALTORS®, *Rent Control: Case Histories and Bibliography*, Chicago, 1980. In testimony by William A. Moses, Chairman of the Board, Community Housing Improvement Program of New York City, before the Subcommittee on Economic Stabilization of the House Committee on Banking, Finance and Urban Affairs (October, 1975), he said: *New York City's fiscal crisis cannot be dealt with effectively without restoring its real estate tax base. This cannot be accomplished unless rent controls and stabilization are phased out now.* Two and a half years later, in front of the same subcommittee, he testified that the New York City Department of Finance had reported a decline in assessed valuation of real estate in New York

City of more than \$2.5 billion. This, he suggested, resulted from the impact of rent control on the city's tax base.

Rydell, Peter et al., *The Impact of Rent Control on the Los Angeles Housing Market. Report N-1747-LA*, Santa Monica, The Rand Corporation, 1981. The study offers a calculation of present value of future landlord losses caused by Los Angeles rent control. For example, in 1986 under the control extended to 1990 with a 7.6 limit if no vacancy, 10 percent limit at a vacancy, landlords would have experienced losses with a total value of \$634 per unit (in 1978 dollars).

St. John, Michael, *The Impacts of Rent Controls on Property Value. Working Paper No. 90-178*, Berkeley, Center for Real Estate and Urban Economics, University of California, 1990. This paper presents the results of changes in property value linked to rent control. The study focused on rent controls in the cities of Berkeley, Hayward and Oakland for the years 1970-1988. It concluded that while "moderate" or "soft" rent controls did not appear to have a significant effect on property values, "restrictive" rent controls did impact them negatively. For instance, after 10 years of restrictive controls, the value of residential income property in Berkeley is nearly 50% less than the value that would be expected to prevail in the absence of rent control.

St. John et al., *The Effects of Rent Control on Local Government Revenue*, September 1988. The study finds that rent control in Berkeley has diminished collectable tax revenues by nearly \$4,000,000 per year as of 1988. This figure will grow to \$10,600,000 by the year 2000. Cumulatively, rent control is responsible to date for the loss of \$17.4 million in collectable revenue, a figure which will grow by the year 2000 to exceed \$100 million. (These figures do not include the direct costs of administration of the Berkeley Rent Control Program. Currently about \$2 million annually, the administrative costs have totaled some \$14 million through 1988 and will total approximately \$38 million by the year 2000.) (p. 2).

Sternlieb, George and James W. Hughes, *Rent Control's Impacts on the Community Tax Base*, *The Appraisal Journal* 47, July, 1979, 381-394. In this article, the authors suggest that: rent control represents more than a transfer of resources between landlords and tenants. It is not a two party transaction, but rather a three party concern with the third party — all the other property taxpayers within the community—having to bear the ultimate cost of the rent control subsidy.

☐ Sample studies that prove the existence of a direct link between rent control and diminished tax base:

Smith, Peter et al., *Impact Study: Effect of Rent Control on Community Tax Base*, Apartment House Council of New Jersey, September, 1981. The study, conducted on New Jersey and covering a 10 year span, proves that rent control results in lower property value, which in turn causes lower assessments. The conclusion being that rent control affects negatively the community's tax base.

National Association of REALTORS®, *Rent Control: A Non-Solution*, Washington D.C., 1977. The "Property Tax Burden" chapter of this book explains how rent control erodes the tax base, promotes tax delinquencies, shifting the tax burden to non-rent controlled properties and new expensive administrative costs.

*E" MAIL  
RECD  
1/18/05*

Dear Mayor Johnson, Vice Mayor Tony Daysog, and councilmembers Doug deHaan, Marie Gilmore, and Frank Matarrese:

I am against rent control in the City of Alameda and ask that you take measures to keep it out of Alameda.

I have owned a small, 5 unit apartment building in Alameda for 27 years. I keep my building in good order and aim to have good tenants who pay a reasonable rent. My rents have never been at the top of the rental market, but towards the bottom of the market for my size units.

In December, while assisting a friend who is selling their Alameda apartment building, we were told by the sales agent that two Alameda buildings that sold at high prices did so because most of the units had section 8 tenants paying top rental dollars for rent. The subsidized apartments were paying rent HIGHER than I charged my tenants. Since then the Section 8 program has had to cut back. But --- here is the problem with high rents --- the government agency pushed the rents up, not private owners.

If rent control comes into Alameda, you will not see private owners building "affordable" apartments. No one can "afford" to do this. Affordable apartments must be provided by the government. Alameda administration should be considering putting high density affordable housing at the naval base, with an exemption from Measure A provided for this housing.

In San Francisco which has extreme rent control, a survey of tenants in rent controlled apartments found that 25% of the units were occupied by tenants earning over \$100,000. San Francisco rent control does not have income requirements for affordable units.

In San Francisco, a recent rent control situation has been publicized. An elderly woman had rented out an illegal inlaw unit in her house. The woman began contracting Alzheimer's and needed to sell her house. She needed to remove the unit in order to sell her house. The tenant stopped paying rent and refused to leave. She had to get a lawyer. The rent control provided the tenant a "free" lawyer. She ended up paying \$28,000 in lawyer's fees and money to the tenant to get him out of the apartment. The "free rent control provided" lawyer regretted having to represent this tenant -- but the rent control law "had to be followed".

I have two friends in San Francisco who own a small apartment building there. One of their tenants is an alcoholic. He has moved an illegal tenant, his girlfriend, into his apartment and late at night they fight. The soundproofing is such that no other tenants in the building hear the fight unless it proceeds into the corridors and out into the streets. The lady in the condo next door which adjoins my friends' building cannot sleep -- she gets all the noise from the fights. She has asked my friends to help with this tenant. According to the rent control board, this noise is not a reason for eviction of this tenant. The lady next door has now been in constant contact with my friends for many months. They have explained to her she needs to call the police and file police reports because she is the one being disturbed. She has been doing this. The police have asked my friends to get rid of this tenant. My friends can't because of San Francisco's rent control. The lady in the condo is now threatening to sue my friends. (She should be suing the Rent Control Board and the City of San Francisco.) Now after over 6 months of this going on, with police being called and

police reports being filed and letters from the condo lady and letters to this tenant asking him to co-operate, the rent control board has agreed my friends may evict this tenant. And, the rent control board warned my friends that they need to have a lawyer handle this.

San Francisco instituted rent control to ensure affordable housing was available. The rents in San Francisco are now some of the highest around, except for those tenants of many years that have not moved and are still paying low rents. And 25% of these protected tenants are not low income tenants. A few just keep their apartments and live somewhere else because it is nice having a cheap apartment for a weekend in San Francisco.

Because of this situation, some San Francisco property owners have used the Ellis Act and went out of business, closing down their apartment buildings. Some apartment buildings are being sold to tenants as part of Tenants in Common. The SF City Council has not learned. The more they increase rent control and restrictions on private owners, the fewer rental units are available.

You who are Alameda's City administration should be able to assess the benefits of rent control from looking at Berkeley. In Berkeley, owners took rental units off the market. It was cheaper to do this than to rent the units. And, owners stopped maintaining apartments -- there was no incentive to keep up the units. And, no money to do it also.

If you look at Oakland's rent control which has just been voted in, there are large segments of housing which are exempted. Because newer apartments will not be built if the units cannot be managed financially.

In all respect to the concept of rent control, it does not do what many thought and still think it should do -- provide affordable housing. Governments are the only ones who can provide affordable housing and the housing they do provide is not fancy. Affordable housing should be the simplest set up. For example, a kitchen with only a sink provided, no dishwashers, no garbage disposals, etc. All floors in affordable housing should have linoleum, not wall to wall carpeting. Tenants who want better need to work, earn money and move out.

These are my current thoughts on rent control. I hope you who are the administrators of Alameda make the right financial decisions for Alameda in this regard.

Pauline Zazulak



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**From:** Vivian MORAN  
**To:** Tony Daysog, Beverly Johnson, Doug DeHaan, Frank Matarrese, Marie Gilmore  
**Date:** Tuesday - January 18, 2005 4:37 PM  
**Subject:** Phone Message

Chuck Sweezy, landlord of Atlantic Apartments, phoned today.

He wishes to remind the City Council that he was presented with an award as Outstanding Landlord of the Year in November, 2004.

He further wishes to advise that he is very opposed to rent control in Alameda. He and his wife are unable to attend tonight's City Council Meeting, but wanted to express his opinion.

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**Fax**

<b>To:</b> Doug deHaan	<b>From:</b> Suha Erdem
<b>Fax:</b> 510.747.4805	<b>Pages:</b> 1
<b>Phone:</b> NA	<b>Date:</b> 1/18/2005
<b>Re:</b> Protecting Alameda Landlords	<b>CC:</b> NA

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**• Comments:**

Dear Mr. deHaan,

As a homeowner, landlord, and resident of Alameda, I am writing to urge you **NOT** to pass the proposed ordinance that is up for a hearing today, Tuesday, 1/18/05. Article XIII, New Section 6-56 of Chapter VI is unnecessary and **NO NEW ORDINANCE IS NEEDED!**

Please do not pass this harmful, business un-friendly ordinance that will drive the good landlords out of Alameda.

Suha Erdem  
Phone: 510.708.9675

Subj: **Ordinance**  
Date: 1/18/2005 3:22:05 PM Pacific Standard Time  
From: [ncsf@pacbell.net](mailto:ncsf@pacbell.net)  
To: [citycouncil@ci.alameda.ca.us](mailto:citycouncil@ci.alameda.ca.us), [bjohnson@ci.alameda.ca.us](mailto:bjohnson@ci.alameda.ca.us), [dc2doug@aol.com](mailto:dc2doug@aol.com)  
CC: [mgilmore@ci.alameda.ca.us](mailto:mgilmore@ci.alameda.ca.us), [ddehaan@ci.alameda.ca.us](mailto:ddehaan@ci.alameda.ca.us), [fmatarresw@ci.alameda.ca.us](mailto:fmatarresw@ci.alameda.ca.us)

To: Alameda City Council; Subject: Rent Control, just cause eviction and mandatory moving payments.

We are the owners of a one rental unit in the City of Alameda. We think there are already a lot of ordinances that are not being enforced. Homes that are in very bad disrepair, needs painting, with lawns that have not been mowed in several months, weeds a foot high, shacks, tents, parking in front yards, junk that can be seen from the streets, etc.

We strongly oppose the new ordinance. Local owners should not be governed by out of state owners.

As far as we are concerned the fifteen Group has a very bad reputation of upkeep, very little screening of their tenants, very little or no maintenance, little or no security. I have driven through the "project" several times and seen groups of people on their knees shooting dice in the street. I have heard of several rapes, muggings, breaking in apartments and etc. in general it is a very poor, unclean, unsafe place to live. It should be brought up to city codes and standards that are expected in our beautiful city of Alameda. If you own a project that large you WILL have certain amount of people that have no regard for others, or the city, you should have your own security to HELP the CITY with keeping people safe. They should have a maintenances crew to keep the buildings structurally and cosmetically attractive by keeping them painted and in good repair, the sidewalks clean, lawns mowed and etc.

We had a daughter who lived there for awhile, she said that it was unbelievable, some of the things that went on down there day and night.

Give us a place that we can be proud of. "Not a place that most citizens are afraid to drive through day or night",


The City is already burdened by a shortage of tax money, a shortage of maintenance personnel, our streets and sidewalks are in need of repair. They do not need to be burdened with more out of state people coming in and trying to change our laws, laws that we can't or won't enforce now.

Mr. & Mrs. Clyde Minar  
758 Buena Vista Ave  
Alameda, CA 94501  
510-522-2227  
[clydeminar@earthlink.net](mailto:clydeminar@earthlink.net)

## Mail Message

N

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**From:** "Clyde Minar" <ncsf@pacbell.net>  
**To:** Beverly Johnson, dc2doug@aol.com  
**CC:** Marie Gilmore, Doug DeHaan,  
"fmatarresw@ci.alameda.ca.us".SMTP/MIME.Alameda@ci.alameda.ca.us  
**Date:** Tuesday - January 18, 2005 3:21 PM  
**Subject:** Ordinance  
 Mime.822 (11828 bytes) [View](#) [Save As](#)

To: Alameda City Council; Subject: Rent Control, just cause eviction and mandatory moving payments.

We are the owners of a one rental unit in the City of Alameda. We think there are already a lot of ordinances that are not being enforced. Homes that are in very bad disrepair, needs painting, with lawns that have not been mowed in several months, weeds a foot high, shacks, tents, parking in front yards, junk that can be seen from the streets, etc.

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We had a daughter who lived there for awhile, she said that it was unbelievable, some of the things that went on down there day and night.

Give us a place that we can be proud of. "Not a place that most citizens are afraid to drive through day or night",


The City is already burdened by a shortage of tax money, a shortage of maintenance personnel, our streets and sidewalks are in need of repair. They do not need to be burdened with more out of state people coming in and trying to change our laws, laws that we can't or won't enforce now.

Mr. & Mrs. Clyde Minar  
758 Buena Vista Ave  
Alameda, CA 94501  
510-522-2227  
[clydeminar@earthlink.net](mailto:clydeminar@earthlink.net)

## Mail Message

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**From:** "Vincent San Nicolas" <vince@mpowercom.net>  
**To:** Doug DeHaan, Frank Matarrese, Marie Gilmore, Beverly Johnson, Tony Daysog  
**Date:** Tuesday - January 18, 2005 12:31 PM  
**Subject:** Tonight's meeting regarding housing issues.  
 Mime.822 (6144 bytes) [\[View\]](#) [\[Save As\]](#)

Mayor and City Council Members, We just want to start by saying we are against both rent control and any type of mandatory moving stipend. We firmly believe that private property is an issue between a landlord and the tenant, and the parties involved know the conditions of the lease or rental agreement at the time of signing. This type of ordinance in our opinion stalls private investment on rental property and unfairly puts the housing burden on not only large but small rental property owners.


There are many different opinions on this issue and I am sure we could talk about this at length, but rent control and moving stipends are not a cure all for our housing needs. It hasn't cured anything in Berkeley or San Francisco and we don't think this is going to cure our housing problems either.

Vincent and Michele San Nicolas  
(510) 769-1323

## Mail Message

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**From:** "Didi Reed" <d2denny@sbcglobal.net>  
**To:** Doug DeHaan, Frank Matarrese, Marie Gilmore, Beverly Johnson, Tony Daysog  
**Date:** Tuesday - January 18, 2005 7:51 AM  
**Subject:** PLEASE, NO RENT CONTROL!  
 Mime.822 (6501 bytes) [View](#) [Save As](#)

Dear Mayor Johnson, & City Council Members Gilmore, Daysog, deHaan, and Matarrese,

I am a native Alamedan (as were both of my parents). My family has been in the real estate and apartment business in Alameda since the 1920's and has been known for not only keeping rents lower than many other landlords, but also for having a low renter turnover rate. I have purchased my own apartment building in Alameda, and am currently a landlord. I am requesting that you, please, do not enact any rent control ordinances in Alameda.

A decision to enact rent control benefits only a few people - those who are fortunate enough to first rent the controlled apartments. And that doesn't mean that they are the people who need it most, as the rent control advocates would try to convince you. Most of the time, they are people who can afford the fair market rent, but who are lucky enough to be living in the apartment at the time that the ordinance is enacted. Then, when the tenants need to move, they usually try to have a friend or family member move in to take advantage of the great below market rate "deal" that they're getting. So, it continues as a very "who you know" proposition rather than benefiting those who might economically need it.

Everyone is aware that the price of housing continues to increase in California. (The median home price in Alameda is now over \$500,000.) Any homeowner knows how difficult it is financially to purchase a house or other property. Those people choosing to live in the Bay Area know that the cost of living (which includes housing - owning or renting) is much higher than other places. Yet, they still choose to live here. However, no one is passing a law which limits the amount one pays to own a home here. Those who sell their property are able to ask for its fair market value and are not required by law to sell their property for a government-determined "reasonable price." If people would like to pay a more reasonable price for a home, they must move to a place where the prices are within their means.

Our country is a free market society, not a socialistic one. Why should landlords be required to subsidize the rental costs for others? (There are some of us who already do so on our own, but it should be our choice because it is our hard-earned property.) Landlords aren't out to gouge their tenants. They ask for the fair market value for their units just like any other person would request for their assets. If people think that the prices are too high, they will go somewhere else; then, the landlords will be forced to lower their rents, or the landlords will lose money by having too many vacancies.

Communities like Berkeley and Santa Monica (and even Alameda, with the passage of Measure A) have helped to create shortages of apartments in their communities. The incentive for creating new apartments (which would increase the supply, and result in lower rents) is taken away when rent control or other limiting housing ordinances are enacted. Not only that, but these decisions only contribute to a more extended housing problem - when the inventory is limited in a few places, people are forced to go to other communities to rent apartments, and the overall ability of an area to supply a sufficient number of apartments is lessened. As a result, the rents in

the other communities go up even more. The ultimate impact is that a greater number of people have to pay higher rents than if rent control ordinances had not been enacted.

In addition, the costs of managing apartments continues to rise. There are many expenses in owning and maintaining property, especially in Alameda, where the apartments are all older buildings that often need major repairs. For example, we replaced all of the old windows in our apartment building at a cost of \$22,000 about four years ago to give our tenants added insulation. We're going to need to put a new roof on the building in the next couple of years, which will also be a huge expense. It takes a long time to build up the money to cover these long-term maintenance items. There are also costly annual repairs which we must make. There always seems to be a unit which is having problems with the plumbing, water leakage (which can cause even more difficulties), malfunctioning appliances, etc. The costs of these repairs is always increasing, and it can be extremely difficult to find quality, reliable contractors who don't charge a prohibitive amount to make repairs. Any tax, bond or fee increases also impact the costs of managing apartments.

Please think of the full impact that your decision will have on tenants, landlords and the areas surrounding Alameda. Who, in reality, will benefit? At whose expense? Will such an ordinance really improve the rental situation in Alameda? Throughout the Bay Area? Would you think it fair if the government disallowed you the fair market value of one of your earned assets? Should business owners be prevented from passing along the higher costs that they incur? Think about your (and the citizens') vision for Alameda as a community. Is it like Berkeley? We hope that you decide that it is one which will continue to reflect the free-market values that our society embraces, as it always has.

Please, do not give in to the pressures of those activists demanding rent control. VOTE AGAINST RENT CONTROL FOR ALAMEDA.

Thank you.


Sincerely,

Didi Justin-Reed & Billy Reed  
d2denny@sbcglobal.net

## Mail Message

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**From:** <Tallegrott@aol.com>  
**To:** Frank Matarrese, Doug DeHaan, Beverly Johnson, Tony Daysog,  
"mgimore@ci.alameda.ca.us".SMTP/MIME.Alameda@ci.alameda.ca.us  
**Date:** Monday - January 17, 2005 8:05 PM  
**Subject:** Our Opinion  
 Mime.822 (2733 bytes) [View](#) [Save As](#)

Dear Honorable Mayor and City Council Members:

We are writing to you to express our opinions re: the potential rent control the council may be considering. The activity of renting property is already very highly regulated. As Alameda considers adding further regulations to this activity it should carefully examine its motivation. The actions of 15 Group at Harbor Island are not indicative of the landlords in Alameda. By seeking retribution from the 15 Group from all landlords, you very well may bring about many unintended consequences.

In short, don't penalize the many for the actions of the few.

Sincerely,


Mark & Tracy Allegrotti  
Betty & Joe Allegrotti



## Mail Message

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**From:** Jawad Jaber <jawadjaber@yahoo.com>  
**To:** Doug DeHaan, Frank Matarrese, Marie Gilmore, Beverly Johnson, dc2doug@aol.com, Tony Daysog  
**Date:** Monday - January 17, 2005 8:01 PM  
**Subject:** No to Rent Control  
 Mime.822 (4022 bytes) [View](#) [Save As](#)

Dear City Council,

I am a long time resident (40+ years) of Alameda and a residential property owner of multi-unit apartments. Though a city, Alameda has always prided itself on its small town feel. In keeping with its small town ideals, Alameda created a Rent Advisory Board that helped landlords and tenants communicate. This Advisory Board has served both the landlords and tenants of Alameda well. Alameda does not need Rent Control. Rent Control would only serve to create antagonistic relationships between property owners and their tenants. Alameda is not San Francisco or Berkeley. Any review of either city's newspapers and public records will clearly show that Rent Control is unfair to property owners. I firmly believe that Rent Control is damaging to the future of Alameda. Alameda is in a boom phase where people are eager to invest in property. Rent Control would only serve to inhibit investment in Alameda.

Don't fix what isn't broken. Leave the Rental Advisory Board in tact and say no to Rent Control. Thank you.

Very truly yours,  
Jawad H. Jaber

510/522-0230


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**From:** "konaduck" <konaduck@hotmail.com>  
**To:** Doug DeHaan  
**Date:** Monday - January 17, 2005 7:48 PM  
**Subject:** rent control  
 Mime.822 (2184 bytes) [View](#) [Save As](#)


**Please reject any pleas for rent control and just  
cause eviction... do not punish all the good  
landlords because of a few bad eggs!!!**

**Don & Sylvia Muzio**

## Mail Message

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**From:** <me2pyro@pacbell.net>  
**To:** Doug DeHaan, Beverly Johnson, Marie Gilmore, Frank Matarrese, Tony Daysog  
**Date:** Monday - January 17, 2005 3:09 PM  
**Subject:** Comments on Rent Control  
 Mime.822 (3217 bytes) [View](#) [Save As](#)

Dear Council,

I am (unfortunately) a recently relocated landlord of property at 622 Taylor St., Alameda, CA 94501. I have just found out about the rent control, Just Cause for eviction, and mandatory moving payments that have been up for discussion. Unfortunately, I haven't had time to research just cause and mandatory moving, so I'm not sure how these would affect me.

I do know how the rent control would affect me, and my future tenants. As a landlord, my costs have escalated every year - maintenance costs more, bills cost more (I pay all the bills), taxes have gone up, and insurance has increased significantly. I have never rented my property to make a big profit, but rather to give both the tenant and myself a positive experience. However, at whatever fair rent I charge, I must be able to pay my expenses - both current and increased future expenses - and I must have enough profit to (1) maintain the property for the tenant, (2) make improvements to the property for the tenant, and (3) make a modest profit to make the headaches of rental worth the effort. With rent control, I will see my income dwindle, first causing me to forgoe improvements then forcing me to do maintenance as cheaply as I can. Neither of these outcomes favors the tenants nor the City of Alameda.

Therefore, please vote AGAINST rent control for the City of Alameda.

Thank you for your attention. As I find out more about the other two topics, I can make more intelligent arguments. Right now, I would say that I object to any further restrictions on landlord property rights. In my opinion, a property can only be rented out if there are tenants willing to pay the price. By restricting landlord rights and restricting the ability to ask a fair price for the property in the location in which it sits, you are asking for certain types of tenants in the City of Alameda, and I'm not sure that this is in the best interests of the city or of the other citizens and homeowners within the city.

Best regards,  
Merideth Howard, Property Owner  
622 Taylor Ave.  
Alameda, CA 94501  
mailing address: PMB #343, 3636 S. Alameda, Suite B, Corpus Christi, TX 78411  
510.205.9244

Subj: **Rent control**  
Date: 1/15/2005 11:22:18 AM Pacific Standard Time  
From: [patmc256@yahoo.com](mailto:patmc256@yahoo.com)  
To: [ddehaan@ci.alameda.ca.us](mailto:ddehaan@ci.alameda.ca.us), [dc2doug@aol.com](mailto:dc2doug@aol.com), [kathy@aoausa.com](mailto:kathy@aoausa.com)

Alameda has always been a lovely place to live. Not only for the it's location in the Bay Area, but for it's well kept homes(including investment properties)Rent control has created slums where ever tried. Having lived in Mass.I observed the towns of Cambridge, Brookline and Boston abolish rent control. It simply did not work. Rent control was revoked. Properties fell in disrepair and or abandoned as the owners died out or could not, nor want to make repairs. A new buyer could not break even.These broken down buildings did not attract desirable tenants(ability to pay rent or care about their surroundings). Valuations fell, tax revenues dropped. Property owners,many small business owners, pay taxes and are vested in their community. Renters tend to be a transient population. Right now Alameda has for rent signs everywhere. Yet, rents are off 20% or more.from their highs.The market is very efficient in determining what landlords can charge. Property owners are the foundation of any city or town. Without them there is no tax base. An eroding tax base creates a downward spiral in a towns amenities, schools,police, fire, etc. Alameda is a great town because of the people living here. . As an elected official and/or AOA member I hope you will be a strong advocate for my position. Thank You.Pat Tucevich

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January 12, 2005

Beverly Johnson  
Mayor

Fax # 747-4704

Marie Gilmore  
Vice-Mayor

Fax # 747-4805

Tony Daysog  
Councilmember

Fax # 747-4805

Doug deHaan  
Councilmember

Fax # 747-4805

Frank Matarrese  
Councilmember

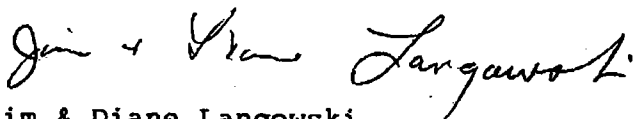
Fax # 747-4805

We have been landlords in Alameda for 10 years. We have a 4 unit and a 6 unit complex.

We have raised the rent twice in the 10 years. The last time because of the hospital property tax assessment.

With Rent Control, we will be forced to raise the rent yearly, so that we will have a reserve in case of an emergency.

Yours truly,



Jim & Diane Langowski  
1201 St. Charles St.  
Alameda, Ca. 94501

**FOR YOUR INFORMATION:**  
**Mayor, Councilmembers, CM, CA**

Subj: **Alameda Rent Control**  
Date: 1/11/2005 8:27:14 PM Pacific Standard Time  
From: [a.acme@comcast.net](mailto:a.acme@comcast.net)  
To: [bjohnson@ci.alameda.ca.us](mailto:bjohnson@ci.alameda.ca.us)  
CC: [kathy@aoausa.com](mailto:kathy@aoausa.com)

I would like to express my objection to any type of rent control in the City of Alameda. As a landlord with properties in other rent controlled cities, I see no value for rent control except for the benefit of tenants and the political career of politicians. Rent control has created turmoil for landlord and tenants and produced absolutely no value.

The fact the City Council is considering any form of rent control concerns me.

I ask that you cancel any considerations for rent control in Alameda.


Regards,

William Fong

## Mail Message

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**From:** <Moyerprops@aol.com>  
**To:** Frank Matarrese, Doug DeHaan, Beverly Johnson, Tony Daysog, "mgilnore@ci.alameda.ca.us".SMTP/MIME.Alameda@ci.alameda.ca.  
**Date:** Tuesday - January 11, 2005 5:25 PM  
**Subject:** Potential Rent Control/Occupancy Restrictions in Alameda  
 Mime.822 (3792 bytes) [\[View\]](#) [\[Save As\]](#)

Dear Ladies and Gentlemen,

This letter is to offer a strong protest to any form of Rent Control or Occupancy Restrictions being adopted in the City of Alameda.

We are both owners and brokers of multi-family (and other investment property). We own/broker deals both in Alameda and Oakland/Berkeley. It is an informed opinion that Rent Control hurts all parties involved in the operation of housing.

Alameda's rental stock is currently one of the best maintained in Northern California. When one observes the rent controlled areas of Oakland and Berkeley, there are far more dilapidated properties. When restrictions are placed on property owners they cannot operate their property at a high standard.

Rents are high in the Bay Area, but studies have proven that Rent Control does not lower the overall rent in an area. It does reward some tenants by fixing their rent, but the net result has always been HIGHER rents for available units. The system randomly rewards individual tenants based on luck and/or manipulation of the system. Nothing about Rent Control is even handed or based on merit of the individual.

I personally know tenants in San Francisco and Oakland who make over \$100,000 per year, yet benefit from rent control. Meanwhile a family relocating to the Bay Area may pay \$2,000 for an apartment because the supply of available units is reduced by the rent control program sharpies! This is a shame.

As a property owner in Alameda we have seen rents come down roughly 30% over the past 2 years. This open market is fair to all of its players. When more people want an apartment rents go up. When fewer people want an apartment rents go down. This system is the most fair to the greatest number of people within the society, because it is the same for all members of the society. Rent control is random as to who it benefits, and frequently punishes others who are trying to contribute to the betterment of society.

We have several clients who when purchasing property specifically ask for Alameda or other locations that do not have rent control. We frequently get the statement "anywhere but Oakland and Berkeley". I would hate to have Alameda added to that dubious list. Good property owners who treat tenants fairly flee from rent control areas leaving the less qualified owners to run the housing stock.

I would hate for the City of Alameda to tarnish its reputation as a straight-forward, fair, open market that is business friendly by adopting rent control and eviction restrictions in any way, shape or form.

Feel free to respond by e-mail or to call me at 510-769-0300 ext 12 if you wish to discuss this matter in greater detail.

Best regards,

John Moyer  
Partner  
Moyer Realty Company  
1000 Marina Village Parkway  
Alameda, CA 94501

Jan. 4, 2005

Mayor Johnson;

It is my understanding that the City of Alameda is being pressured into the possibility of imposing rent control because of a situation concerning one large landlord.

I urge you not to do this!

Being a landlord is not a gravy train. The vast majority of landlords are responsible, understanding people who only resort to eviction when it is absolutely necessary. It is such an excruciating process for all concerned, why would one do otherwise? One bad tenant can destroy a unit to the tune of thousands of dollars, take months to evict at great legal expense, and leave the landlord holding the bag for several months of unpaid rent. Recouping this loss can take years. Mandating this into an even more difficult, lengthy, and expensive process for everyone because of one landlord is insanity.

When you start controlling rents, you start mandating rent increases: they will happen annually like clockwork, with no exceptions.

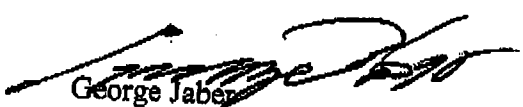
And who will oversee and control the cost of "moving expenses"? This is a huge can of worms.

Also, do we need to spend precious city funds on a new department to handle the mountain of paperwork this nightmare will generate?

Being a tenant comes with certain pluses: someone else will replace a stove when it blows up, and you don't have to worry about property taxes & insurance, or cough up a huge down payment to have a roof over your head. However, it also is not YOUR roof and you do not have final say-so about living there forever. That's the trade-off, and that's the bonus of being the landlord, which is bought and paid for by paying the money for the property and bearing responsibility for all its expenses and liabilities. State laws are already in place to protect everyone's rights, and we don't need yet another layer.

On behalf of myself and all the other landlords in town, I hope you will not cave in to the demands of one special interest group. Their problem is with their landlord and their specific situation, and should be settled between them ONLY.

Sincerely,



George Jaber  
2801 Encinal Avenue  
Alameda, CA 94501  
Tel: 523-4821



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05 JAN -3 PM 4:33

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January 3, 2005

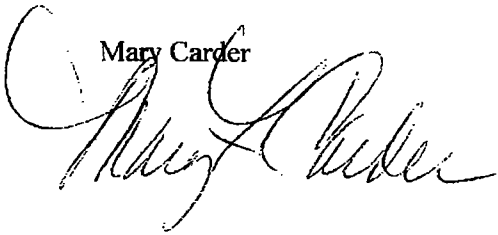
Mr. Doug deHaan::

As a longtime Alameda resident, voter and property owner I do not feel it is proper to burden Alameda property owners with things like rent control, just cause eviction and mandatory moving payments. Just look around at all the "For Rent" signs in Alameda. You will then realize property owners are having a hard time just keeping units rented.

I feel the actions of one landlord should not punish the majority of us who live here and manage our own units.

Respectfully,

Mary Carder



**Carol Martino**

**To:** CITYCOUNCIL@ci.alameda.ca.us  
**Cc:** barbkerr@mindspring.com; Diana Pesta  
**Subject:** Rent Control, Just Cause Eviction, Mandatory Moving Payments

*Repon*

Mayor Beverly Johnson  
Vice-Mayor Marie Gillmore  
Tony Daysog  
Doug deHaan  
Frank Matarrese

sent via email, FAX and phone calls made

I am a landlord and own several small apartment buildings in Alameda. I understand there will be 2 upcoming meetings on January 4 and January 18 regarding the above-referenced subject items.

Please be assured that I strongly oppose any Rent Control, Just Cause Eviction and Mandatory Moving Payments. I will be at both these meetings and any future meetings to oppose what the City Council is proposing. I look forward to meeting all of you.

I will contact all my clients and all apartment owners in Alameda to let them know of these meetings and ask them to come to the meetings and also let you know of our opposition to these proposals.

I have been a landlord for some 20 years and the last 3 have been the worst, with constant vacancies, apartments left dirty and in disrepair with tenants demanding full return of their security deposits and with the threat of legal action. I have lowered rents and added amenities in order to keep my properties rented. I have seen a drastic drop in my net operating income.

A small landlord cannot afford more costs like Rent Control, Just Cause Eviction and Mandatory Moving Payments.

Thank you for your time and attention.

*Carol Martino*

Carol Martino  
Realty World Martino Associates & Mortgage Co.  
1107 Lincoln Ave.  
Alameda, CA 94501  
(510) 523-9300  
(510) 919-9233 Cell  
(510) 523-3105 Fax  
greatreal@comcast.net  
www.realtyworldmartino.com

1/2/2005

HARBOR  
ISLAND

## Mail Message

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**From:** Denise Nessel <DDNessel@sbcglobal.net>  
**To:** Doug DeHaan, Frank Matarrese, Marie Gilmore, Beverly Johnson, Tony Daysog  
**Date:** Thursday - December 23, 2004 1:47 PM  
**Subject:** Moratorium on West End development?  
✍ Mime.822 (5603 bytes) [\[View\]](#) [\[Save As\]](#)

Dear City Council,

I am writing to express my opinions about a topic of discussion at a recent council meeting: the proposed moratorium on development in the West End to prevent "gentrification of Alameda's low-income neighborhoods." The quote is from the article on the front page of the 12/23 Alameda Sun.

As a resident of the West End since 2000, I am eager to see this end of the island improved. I very much like the idea of "gentrification" because it means having houses and buildings that are well kept and inhabited by people who are good neighbors and law-abiding citizens. I'm appalled that so many of the crime reports in the paper are associated with West End addresses, especially the Harbor Island Apartments. I fully support the Fifteen Group's attempts to clean that place up, and I thought they were perfectly fair—and continue to be fair—in their way of going about it. I look forward to that complex attracting something other than the drug dealers and other criminals who infested the place before the evictions! Also, the Fifteen Group operated entirely within the law, from what I can tell, and I have followed the case fairly closely. To continue attacking them as you have been doing will only discourage other rental property owners from trying to improve their Alameda property.

A few new businesses recently opened on Webster Street—a couple of retail stores, a nice restaurant, a new hotel. These are welcome contrasts to the low-end bars and other cheap establishments that still dominate the street. At a time when the West End is beginning to show these kinds of improvements, it's alarming to think that the city council would even consider placing a moratorium on development on this part of the island because "gentrification" is somehow a bad process. It's what this end of the island sorely needs!

Denise Nessel

1545 Ninth Street

December 6, 2004

TO: Doug deHaan, Councilmember, City of Alameda  
FR: Harbor Island Tenant Association and Support Committee  
RE: A. Proposed Fair Relocation Practices Ordinance  
B. Community Proposal for Interim Controls in the West-end Atlantic Corridor Area

Dear Doug deHaan, Councilmember,

Please see the attached proposals. The Harbor Island Tenant Association and Support Committee plan to present a Proposed *Fair Relocation Practices Ordinance* and a Proposed *Interim Controls in the West-end Atlantic Corridor Area Ordinance* at the ~~November 7<sup>th</sup>~~<sup>Dec.</sup> City Council Meeting.

We are requesting that the Proposed Emergency Fair Relocation Practices Ordinance be put on the agenda for the ~~November 21<sup>st</sup>~~<sup>Dec.</sup> City Council Meeting. We are hopeful that a vote can occur by ~~November 21<sup>st</sup>~~<sup>Dec.</sup>. A significant number of families are currently suffering at the Harbor Island Apartments and are in need of immediate relief.

Your understanding and immediate attention to this matter is greatly appreciated.

Respectfully,

Lorraine Lilley, Ph.D., Harbor Island Tenant Association, Co-chair

# **CITY OF ALAMEDA**

## **MEMORANDUM**

To: Honorable Mayor and  
Members of the City Council

From: William C. Norton  
Interim City Manager

Date: January 19, 2005

Re: Recommendation that the City Council Direct the City Manager to Prepare an Ordinance for City Council Introduction, which Establishes a Theater Combining District in Chapter XXX, Development Regulations

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### **BACKGROUND**

The City of Alameda Economic Development Strategic Plan (EDSP) defined the City's long-term economic development goals. Strategy #4 of the EDSP established the goal to "create recreational and entertainment facilities that serve residents and employees of local firms as well as business and tourist visitors to the Community." It also specified, as part of its Implementation Plan, "Support Downtown as a prime location for theatre facilities."<sup>1</sup>

### **DISCUSSION/ANALYSIS**

Pursuant to AMC Section 30-22.2, property owners, City Council, or the Planning Board must initiate General Plan Amendments.

The Community Improvement Commission (CIC) is proceeding to begin consideration of the development of a new multiplex theater in the Downtown. To support the public and private investment being contemplated by this project, the City Council is requested to consider establishing a Theater Combining District.

This action will broaden and continue economic revitalization of the City — particularly the Park Street Historic Commercial District — by limiting the construction of new, multi-screen movie theater development, by encouraging the re-use of underutilized retail facilities, and by acting as a catalyst for development in the Park Street Historic Commercial District. A combining district would maintain the existing properties' underlying zoning designation, but provide flexibility in terms of development standards and uses.

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<sup>1</sup> City of Alameda Economic Development Strategic Plan, by Applied Development Economics for City of Alameda Economic Development Strategic Plan Task Force, Economic Development Commission, July, 2000, p. 20.

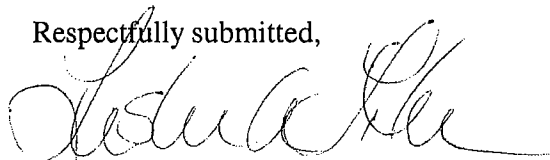
**BUDGET/FINANCIAL IMPACT**

There is no impact on the General Fund to initiate an ordinance establishing a Theater Combining District.

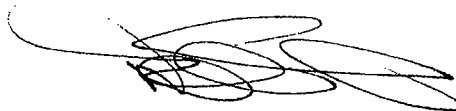
**RECOMMENDATION**

It is recommended that the City Council direct the City Manager to prepare an ordinance for City Council introduction, which establishes a Theater Combining District in Chapter XXX, Development Regulations.

Respectfully submitted,



Leslie A. Little  
Development Services Director



By: Dorene E. Soto  
Manager, Business Development Division



Eric Fonstein  
Management Analyst

WCN/LAL/DES/EF:dc

cc: Robb Ratto, Park Street Business Association

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CURRENT APPLICATIONS  
SOCIAL SERVICE HUMAN RELATIONS BOARD  
ONE (1) VACANCY  
Partial term expiring June 30, 2007

Tony Albanese

Betsy Elgar

Lisa Grove

Dennis Hanna

Dr. Jerome B. Healy

Thomas Hurtubise

Kristoph Lukesh

Jennifer L. Miller

James Price

Jonathan D. Soglin

Jesse D. Tamplen